Volume LXXVI *March 1961* *Number 1*

POLITICAL SCIENCE QUARTERLY

TECHNOLOGY AND SOCIAL PROGRESS

I

AN industrial society represents a vast team, not of humans alone, but of humans affiliated with machines.

That the machines are intended to save labor, enrich living and facilitate the making of more machines need not engage us here.

Rather let us consider that machines are stubborn and unyielding. They are not to be cajoled or coerced. Herein they differ, of course, from human beings, for human beings have always yielded, and presumably always will yield when enough pressure is brought to bear upon them. It follows that as mankind amalgamates itself more and more into a machine society it will be the human elements who will make the essential accommodations and adjustments. The human units who, individually, are the temperamental and unpredictable partners to the union will do the bidding of their mechanical servants.

What, for instance, is a modern manufacturing establishment but a miniature society in which the humans aliment and groom the machines? The nature and quality of the factory's product are fixed by the machines, with the human complement an accessory whose idiosyncrasies and vagaries are but handicaps, unavoidable nuisances, that the institution would gladly be rid of if it could. Likewise, by legal concept, the factory—the corporation—is a composite citizen, a being of steadfast purpose whose conduct is accountable in spite of the uncertain behavior of its operatives.

And as nations, generally, develop technological competence and pull more abreast of one another in respect to their industrialization their problems of compatible and efficient articulation, their concern with the over-all welfare, will, like the factory's,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

approach as a limit an affair of balance between inanimate agglomerations, the human temperaments and emotions playing but an insulated part.

Nor will international issues escape this refining and smoothing-out process. They will become less the kind of issues that carry emotional charges, more the kind that involve concrete and factual knowledge, and therefore invite logical and candid approach. For such, in general, are the questions associated with technology and industry; and as these spheres of activity influence human relationships more positively, both domestic and international politics will respond by demanding that they, too, be dealt with in a matter-of-fact fashion.

Take, for example, the nuclear bomb. Here is a technological achievement whose call upon the world is mandatory, not simply petitionary. It offers no quarter, no hint of option. Its inflexible demand is for the outlawing of war. In respect to it nations have no choice but to circumscribe their erstwhile range of sovereignty. The single alternative is virtual extinction. Such a situation being quite new in the history of mankind, the past provides no hint as to what collective human behavior to expect. But even among those individuals who fully comprehend the crisis there are probably few who really fear that common sense will lose the day. When the great renunciation comes, if come it does, it will mark an outstanding spiritual victory for technology as being the agency to abruptly force consummation of a goal, and attainment of an ideal, where a millennial-long appeal to the brotherhood of man has consistently failed.

II

"Nature is commanded by obeying her." The observation is Francis Bacon's, and the social and political ferment now arising throughout the world suggests that mankind everywhere is bent upon reaping all the material rewards that may inhere in complete obedience.

With physical man or, as we might better denote him, technological man, so firmly seated in the saddle and virtually certain to guide social developments for years to come, what can be said of the world's probable spiritual gain or loss since the driver's chief concern will be for material gain? Many are asking this question and as eminent an authority on human conduct as Arnold Toynbee voices his pessimism, at least to the extent of advising a change of approach. In his *Historian's Approach to Religion* he states as his verdict that the time has come for us "to wrench ourselves out of the seventeenth century mathematico-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

physical approach which we are still following and make a fresh start from the spiritual side." And he adds that such a spiritual approach "is now, once again, the more promising of the two."

Upon examination, however, science and its close kin, technology and industrial development, are seen to offer very significant spiritual values, though premonitory fears are no doubt natural enough in view of the upheaval in thinking brought about by the destructiveness of the atomic bomb. And to suggest —as above—that the time is probably at hand when the bomb will be regarded as a great spiritual force may come as a shock rather than as assurance to many people. Nevertheless, the application of scientific knowledge to everyday life has already proved so productive of material aids and conveniences—to say nothing of medical blessings—that scarcely a nation but is beginning to think in terms of an intensive technological future. We may compare ourselves to children in a dream toyland of such wonderous size that, if we but search, the answer to every material wish will be found.

Or consider some of the recent devices of solid state physics in which the functional leverages of single atoms are so great that they seem to take on almost macroscopic rôles. Through such developments important uses have been found for properties of matter and laws of Nature which appear to have had no slightest evolutionary function, but have lain dormant from the beginning of time. Our physical environment with its complement of ninety odd chemical elements, which eons ago ushered in the dawn of life, and in succeeding ages nurtured the varied sequences of living forms, is now proving itself a partner to man's highest intellectual efforts. He and the material world about him bear in their respective natures the desire for and the means of satisfying an extravagantly complex existence. These two sets of attributes, human on the one hand and material on the other, suggest a deep unity or propinquity in Nature: the obverse and reverse aspects of a single and undissociable principle of life; an affinity which seems to decree that where uses of material existence are possible a user shall in time appear.

With such relationships in mind it is hard to accept without reservations the admonition Toynbee and many others voice. Or, turning to a bizarre sort of extreme, it is equally unconvincing to picture our human kind as glorified bower birds bent chiefly upon gratifying an extravagant urge to adorn their nests with glittering assortments of spangles. Each of these derogatory appraisals of science and technology seems inappropriate in the light of the well-nigh boundless areas of congruence which we discover be-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tween man's desires and tastes on the one hand and the agreeable adaptiveness of our physical environment on the other. It can scarcely be that mankind, in accepting Nature's bounty, stands to lose his spirituality in a maze of mechanism. Even should the future hold in store other situations more or less akin to the atomic bomb in cataclysmic possibilities, they will make new and perhaps greater demands upon the human virtues of self-control and due regard for others.

III

In so far as technology fixes man's future course in Nature he must travel a largely predetermined corridor of indefinite length —a corridor walled by the physical and chemical properties of matter. From this corridor he cannot stray except in thought, and what it offers to one portion of mankind it offers to all, for actually technology recognizes no national boundaries; it is unaware of race or culture, and the language of science comes about as naturally to one people as to another.

This suggests a unification of human purposes and interests so fundamental that its full significance may be difficult for us to grasp. In a word, the world's conglomerate of peoples seems on the verge of exchanging their diversity of backgrounds, physical and cultural, for a common point of view, a common objective, and a more or less common milieu. The promise is of a new and universal culture arising to bind mankind as never before. Much as the butterfly, after emerging from its chrysalis, expands and tests its wings for flight, all races and nations, in their ardent espousal of technologically directed industry appear to be awaiting a common signal to slough off most of their outmoded ideological differences—encumbrances inherited from an uncomprehending past—and assume instead a unanimity of outlook and purpose that will be totally new in the world, and no doubt as revolutionary as it will be new.

The mutualities of human conduct, arising thus and coming to link mankind in a new brotherhood, will not be of knowledge per se; but they will be the far stronger bonds comprised by like desires and similar industrial objectives and problems. The pursuit of knowledge alone has failed signally to bring peoples and nations together, but worldwide industrialization, rooted in technology, seems likely to succeed, and at a rapid pace. In contrast to mere knowledge, the consequences of technology are so far-reaching and their counsels speak so feelingly that they promise to reconstruct life patterns generally and, in the process, make them much more alike the world around.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

IV

One of the important humanitarian by-products of technology is the greater dignity and value that it imparts to human labor. In highly mechanized industry there is no essential difference between white and black, between Brahmin and untouchable, Moslem and Christian; they are equally useful and hence equally valuable, for in the industrial society individual productivity fixes the size of the pay check and this, ever so steadily and sometimes not unobstrusively, fixes social status.

And there is another reason why the onward sweep of industry will level caste systems and erode away social stratification. Mass production is not possible without mass consumption, which is but another way of saying that everyone must consume to the limit of his purchasing power, and keep on doing so continuously. Here personal pride plays an important economic rôle. Social repression and discrimination can have no lasting place in a social order intent upon encouraging ready and enthusiastic buyers. Pride, self-respect and desire of possession go hand in hand and to ensure mass consumption they must be fostered at every opportunity. Ready testimony comes from current advertising techniques as we see them practised here at home—testimony which is spontaneous and unpremeditated, and hence such that it can be taken at face value. Its manifest aim is to puff up the ego of the individual consumer by appealing to his pride, appearance, health, good taste—even on occasion to his intelligence—while promoting the vision that he has the unique opportunity to get in stride with an élite procession marching onward into a materialistic paradise.

In brief, it needs no emphasis that in lands where human labor is the least productive—China, India, the Arab states, prerevolutionary Russia will serve as examples—the least regard for human life is to be found as well as deeply rooted social discrimination. In technologically backward lands the pitiable status of the human being contrasts sharply with that now prevailing in the West, where the earning power and the economic importance of workers generally have risen to levels that would have been regarded as fabulous even a century ago. Thus technological man, by virtue of his improved industrial status, stands forth as a more substantial political entity than ever the rank and file of workers have stood before.

The relationship is twofold. On the one hand, labor is now valuable enough to justify economically its being conserved and provided with working conditions that are consistent with effi-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

cient production; on the other, the margin of productivity and profit in the economy as a whole has expanded to such a level that the entrepreneur is able to afford the humanitarian benefits which his moral sense, and the moral sense of society, have all along hinted at.

It follows that even such a political structure as the monolithic state will, under an expanding internal economy, tend in the direction of relaxed controls. The worker's initial lot as a serf under the party cannot remain his permanent lot. As factories and industries grow and shelves fill with consumer goods, the erstwhile serf must be induced to play the rôle of spender and consumer; until, when the tide runs full in this new and final direction, and pressure is no longer upon the creation of capital goods but upon the consumption of what has been mass-produced, the state finds that it must give priority to full and steady employment. As we know from our domestic experience this requires a widening diversity in most lines of production and service together with the stimulus of changing styles. "The changes progressively taking place . . . tend to bring out into stronger relief the importance to man and society of a large variety of types of character, and giving full freedom to human nature to expand itself into innumerable and conflicting directions." These words, though they were written many years ago by John Stuart Mill to epitomize the political basis for individual liberty, pretty well set the sights for any industrial society which is bent upon maintaining full employment and mass production as coequals. They suggest the extent to which, as an economy evolves, political regimentation must yield to the release and exploitation of individual differences. In fact, according to good report, Russian industrialism has already advanced to such a level that the Soviet hierarchy seems much more mindful of its subjects as indispensable consumers to whom a growing freedom of choice must be accorded.

V

The argument above outlined—and it is but the barest outline—brings us to envisage the world as poised at the threshold of an era in which the most dynamic social and political forces will be of technological origin. Republics, democracies, limited monarchies, together with socialist and communist states will, under the impetus of technology, find themselves facing similar social and industrial problems; and this fact, when joined with the fundamental sameness of human nature the world over, suggests the approach of generally similar social conditions and, in con-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sequence, a recourse to generally similar legislative responses. "Steam is almost an Englishman," observed Emerson a century ago. "I do not know but that they will send him to Parliament to make the laws." And what, in Emerson's day steam seemed capable of, is far outmatched in our day by the electron. Never heretofore has mankind kept intimate company with so commanding and so uniting a creature.

In a word, the basic aim of every national program of industrialization is to gratify its public and cater to its yearning for a higher material standard of living. And every actual advance, every new goal envisaged, but reaffirms the fact that implicit in each such program is the democratic principle that the state is made for man, not man for the state. This is the great humanistic message of technology; for it, above all other agencies, is the fulfiller of political dreams. Each national program of progressive industrialization must, in due course, include the guarantee that as a higher economic stage is reached it will be more humanitarian. Viewing the present promise of a world-enveloping sweep of technology, and bearing in mind what it has already accomplished in limited areas toward the liberalization of mankind, one finds it difficult if not, indeed, impossible to hold to the view that there can inhere and endure in what we commonly label communism an effective threat to dominate and regiment the world.

What we chiefly witness in those countries now communistic is the functioning of a political device that is extremely well suited to surmounting the hurdles interposed by their lack of free capital and trained labor. Their peoples, thirsting for the material benefits which more developed countries have attained, see no political alternative to some form of state planning and control (call it communism or not) that will regiment workers and credits alike to the end that their collective technological metamorphosis will be as rapid as possible.

VI

A task we face—and by "we" I mean chiefly those who are citizens of the more developed nations—is, therefore, to set aside attitudes and suspicions that we inherit from the past, and prepare to greet and measure up to a uniquely different future. If the statistician is correct in his estimate that the Russian economy has grown one or two per cent faster than that of the United States during recent years, it is a welcome fact. It means that the Russian people are that much nearer to being ruled by the inani-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mate and steadfast machine, not by an unpredictable dictator. And there is much for us to do if we are to measure up to such a future.

Of major importance is a viable and forward-looking plan for the distribution of the essential raw materials of the earth. Industrialization can spread and become universal only as all peoples can find access to vital natural resources upon somewhat equal terms. The need in this respect is imperative and calls for prompt and progressive statesmanship. A question so important to the future welfare of the world could well be brought before the United Nations. Fortunately science is doing much to assist the have-little nations; the rôle of substitutes and alternatives is expanding daily. But it still remains a fact that the terrestrial distribution of minerals represents, as it were, but a single throw of the geological dice, thereby leaving to human ingenuity the arranging of an harmonious give and take among the nations.

ROBERT W. KING

HARTLAND FOUR CORNERS, VERMONT

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE SUPREME COURT AND THE FUTURE OF JUDICIAL REVIEW

"I was thinking," Alice said very politely, "which is the best way out of this wood: it's getting so dark."

—Alice in Wonderland

SEEN from the vantage point of twenty years, the Supreme Court "revolution" of 1937-1940 does not seem as revolutionary as was once thought. The Court has continued to play a major rôle in American political affairs, and it can now be seen that far from giving up the power of judicial review, the judges preserved it intact in 1937. This has become obvious with the period of renewed judicial activism which set in with the accession of Chief Justice Earl Warren. Since 1953, the Court has performed such significant feats as the outlawing of school segregation, the limiting of state power to control subversive activities, and the limiting of powers of legislature to investigate; and it has continued its careful—if not always consistent—oversight of the way in which the states enforce their criminal law. Previous to 1953 it had drawn strict limits to the "inherent" power of the president and had attempted to define the boundaries of church-state separation. The power of military authorities to use judicial process has been challenged. The right of free speech has been adumbrated (though perhaps not clarified). The court has, in fact, been so active in so many areas that criticism of its decisions (and even of its basic function) has mounted almost to the levels of 1936.

The judges have thus succeeded in doing what no observer in 1937 would have foreseen: they have, by their decisions, again put in question the utility of the whole institution of judicial review. The judges may be able to read the history of 1937: but apparently what they find in it is not what the 1937 commentators thought was there.

The result has been a rash of new demands that the Court be curbed. Some of these may be discounted as the obvious reactions of those (especially in the South) who disagree with particular decisions so strenuously that they would destroy judicial review in order to reverse one set of decisions. But beyond this, criticisms

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

more serious and proposals more substantial have been made. The National Conference of (State) Chief Justices, meeting in 1958, charged the Court with making too many decisions which are nonunanimous, with ignoring the principle of *stare decisis,* and (more broadly) with a lack of self-restraint in cases involving federal-state relations. Here was, in other words, the old plaint that the Court is acting as a super-legislature. The charge has been echoed by the American Bar Association and by many spokesmen for Southern interests. It has—not surprisingly—cropped up in dissenting opinions on the Supreme Court itself. Bills have been introduced into Congress which would have the effect of clipping the Court's wings in one way or another: one of them failed of passage in the 1958 Congress by only one vote.

In the light of this new controversy it seems important to try to assess the nature of the conflict, and to attempt to discern the future of this characteristic American political institution.

Background to Conflict

There is some disagreement as to the bases of this new era of conflict, but there is wide agreement on at least two fundamental causes: the changed nature of the questions coming to the Court, and the inherent nature of judicial review itself. To these we now turn.

The New Deal judges were unanimous upon one thing: that the old Court (at least its conservative majority) had been too activist in prohibiting government action in the economic realm. The conservatives had misconstrued either the Constitution or their proper functions as judges, or both. It was natural, then, that the New Deal Court would scrap the old structure: it proceeded to reverse, either explicitly or *sub silentio,* the previous course of decisions. It unanimously agreed with Chief Justice Stone that the only check on the Court was the judges' own sense of self-restraint. The judges all felt that the government could constitutionally exercise large controls over the economy. They all, therefore, were willing that the Court retire from the politico-economic battlefield. Consequently, since 1937 there has been little litigation involving the economic powers of government in the old terms. This is perhaps the chief result of the events of 1937.

But here the area of agreement between the judges ended. The events of World War II and the "cold war" which ensued brought renewed pressure by nationalistic as well as by more sober citizens for action protecting the nation against disloyalty, subversion and espionage; and (in a general way) there was equivalent pres-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sure for social and political conformity. Such action, when taken, raised serious issues of conflict between national security and constitutional liberty. The democratic aspirations of the American people, and the aspirations of Negroes for social equality, at the same time led to increased pressure for government action in the aid of the achievement of such equality. Both in the area of security and in that of racial equality, the Supreme Court has found itself—perhaps against its own will—a major participant in the struggle.

It is on such questions that the Court has again come near to foundering on the shoals of a hostile public opinion; and conjointly the unanimity which the Court showed on economic questions after 1937 gave way to almost hopeless division on the new questions to which it had to address itself.

The lesson we may draw from the history of judicial review is a twofold one: that judicial review is used most frequently (and acts most effectively as a brake) at those times when governmental action is reaching out into new and unprecedented fields; and that the Court itself is most effective in using review when it has the support of influential political and/or social groups. Both of these lessons are in point as regards the civil liberties cases of the last ten years. Government action—as manifested in such laws as the McCarran Communist Control Act of 1950, various state loyalty oath laws, and the investigations by Congressional and legislative committees with their inseparable issues of the rights of witnesses—*was* unprecedented. Both the scale and the scope of such activity were new in this country. It was therefore natural that the courts, used to old ways and brought up in old conditions, would act as conservative censors on government. The Court's reaction has been somewhat inconsistent, however. During the period roughly ending with the death (in 1946) of Chief Justice Stone, it stood as a protector of liberty against the encroachments of government, except in a few prominent areas such as the Japanese exclusion cases. From 1946 to the accession of Chief Justice Warren in 1953, counsels of caution prevailed more often, and the Court usually acquiesced in government actions infringing on the old liberties. Now again, since 1953, the Court has become "activist" in such matters.

Given the pressure for repressive legislation, it is inevitable that libertarian decisions by the courts would arouse great opposition. Such opposition has been the greater—or at least has seemed greater—because there is no large "prestige" group in American society which stands to gain directly from libertarian

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

decisions. Consequently no such group has seen fit to defend the Court. If we are correct that much of the Court's strength is dependent upon the degree to which public opinion sustains it, this lack of significant political support is an important element in the present conflict in which the judges are involved. Certainly the backing of such groups as the NAACP, the American Civil Liberties Union, or the ADA is not in itself calculated to preserve the Court's power and prestige.

On the old type of economic issue the Court had the advantage of having powerful group support on either side of most decisions. This has not been true of the civil liberties cases, (in which even a President of the United States has refused to approve categorically the Court's course of action).

It is, then, in the very nature of these new kinds of questions which have been presented to the Supreme Court since 1937 that there would be loud complaints about the decisions: unless indeed the Court were to abdicate as completely its functions of review in this area as it has in the economic sphere. Such abdication, however, was not likely unless the Court were to give up its power of review absolutely, and no one on the Court has counselled such a course. A second cause of conflict, then, has its seed in the very nature of the institution of judicial review.

Fundamentally, it can now be seen that the Supreme Court lost a battle, not a war, in 1937. It retired from the economic battlefield (at least for the moment) but retained intact the power of review which had been its major weapon in that struggle. But so long as the power itself remains, there will be the urge to use it; and as long as it is used, opposition will exist. Paradoxically, it appears that the Supreme Court is least popular at times when it is most effectively using the powers which we have entrusted to it. So it has been since 1937. Despite the warning of (then) Justice Stone that "the Courts are not the only agencies that have the power to govern," and the whole thrust of Holmesian judicial philosophy (which seemed to say that the representative legislature must have its way), the post-1937 Supreme Court with Stone himself in the vanguard has not been notable for its self-restraint when questions of civil rights and liberties have been presented. And this is true even though practically every judge in the last twenty years has regarded himself in some degree as a follower of Holmes.

The nub of the matter seems to be this: that it is a rare judge who will refuse to use his power to accomplish those things which he believes the Constitution requires (or allows). And it is at the same time a rare judge who can separate his judgment as

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to what is right from his conclusions as to what is constitutional. Consequently almost every judge will use his power (judicial review) when his constitutional beliefs are transgressed by legislative action. Perhaps the "almost" is not needed in the above sentence, for even Holmes himself, and his leading disciple, Justice Frankfurter, have been perfectly willing to use the power of review on occasion, and Frankfurter has voted with the majority in some of its most criticized decisions.

The Court, then, must always act in the light of its duty as that duty is seen by the majority of its members; and so long as the majority's concept of duty includes the possibility of judicial review, self-restraint is an illusion when cases arise "on the frontier where a changing social necessity impinges upon the established law." Unless one wishes to challenge the whole institution of judicial review, perhaps the controversy over "activism" and "self-restraint" is largely academic; for in being "activist" the Court may be acting exactly as we wish. One is reduced, then, to criticizing the constitutional and moral rightness of particular decisions, and the argument over the proper *function* of the Court is beside the point.

To put all this into somewhat different language, we may recall that the Court has often been criticized for "legislating" and for constituting itself as "a third house of the legislature." But the question now seems to be: is not such action an inevitable accompaniment of judicial review? As we all know by now, the fundamental law under which we operate is hardly crystal clear; and all the points of major conflict involve the clauses of the greatest opacity. Decisions thus require interpretation; and interpretation inevitably means the upholding or rejecting of governmental policy made (in the first instance) by some other agency of government. The *effect* of judicial review is thus inevitably to make policy; it could hardly be otherwise. The only way to avoid "judicial legislation" is to banish the power of judicial review, and even then much law would be "made" in the process of statutory interpretation by the courts.

It is in argument over the nature and function of the Supreme Court in its exercise of judicial review that the New Deal and post-New Deal judges have split among themselves. So far as the conflict has been conscious and overt, it may be represented by the two powerful antagonists whose careers span the entire period from 1940 to the present. And the antagonism may be pointed up by the fact that it has become not only a philosophical but also to some extent a personal antagonism (so much so that it is rumored that Justice Frankfurter, despite his age and physical

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

infirmity, feels he cannot wisely retire so long as Justice Black remains active!). To the arguments of these seminal figures we may now turn.

"The Legacy of Holmes and Brandeis"

Paradoxically, the opposing ideas of Justices Black and Frankfurter both find their source in the judicial theories of Oliver Wendell Holmes. But the two modern judges have seized on different aspects of Holmes' thought, and shaped these to fit their own attitudes and concepts. It is important to note that the thought of Holmes was shaped in an era when civil liberties were (except for a short period in the early twenties) distinctly secondary to economic questions coming before the Supreme Court. It is thus a question what the "Yankee from Olympus" would say to modern civil liberties issues: one may make strong assumptions, but without proof.

No study of the Supreme Court since 1937 could ignore the influence of Holmes and Brandeis, for every later judge is indebted to them for part of the law as it is and part of the theory on which his judicial actions must rest. Justice Cardozo acknowledged this debt in his usual graceful prose: "He [Holmes] is today for all students of the law and for all students of human society the philosopher and the seer, the greatest of our age in the domain of jurisprudence, and one of the greatest of the ages." While today there is a tendency to play down Holmes, nevertheless he has left a judicial heritage on which the Supreme Court is bound to live for many years into the future. The influence of Brandeis is perhaps not so obvious, though it seems to be true that Justice Black has rested his judicial philosophy on Holmes at the points where Holmes and Brandeis were in agreement; certainly his *attitude* resembles that of Brandeis more than that of Holmes. And Justice Douglas is said to regard himself as the personal heir of Brandeis.

Holmes is perhaps most famous as an apostle of judicial self-restraint. His reputation in this regard was made by his rejection of the concept of substantive due process of law as an interpretation of the Fourteenth Amendment. Close reading of his opinions, however, seems to indicate that his objection to substantive due process was not due to the fact that it constituted "judicial legislation," but that it was an improper reading of the Constitution, which (he said), was "not intended to embody a particular economic theory, whether of paternalism and the organic relation of the citizen to the State or *laissez-faire*." In short, Holmes felt that the Constitution had nothing to say about

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

economic systems, and that the Court was reading into that document something which was not there. Substantive due process might be perfectly proper in some cases, but not in those involving economic interference by the state. Holmes recorded no objection, for instance, when the Court began to use substantive due process in free speech cases during the 1920's. Nor did he object when the Court constructed the so-called "rule of reason" by which to interpret the Sherman Anti-Trust Act. He had, in other words, no basic objection to "judicial legislation" if it was exercised with restraint and in areas in which he felt it could be justified by a reasonable reading of Constitution or statute. Whatever may have been thought at the time, then, his disagreements with his "conservative" colleagues were something less than fundamental.

Nevertheless, Holmes' statements about judicial self-restraint were so felicitous and persuasive that they had an effect on later judges which perhaps went beyond what he intended by them. Judges like Stone, who used these statements as the bases for later dissents, were to find that they were complicating factors when new types of cases arose. Stone, for instance, wrote that the "only check upon the courts is our own sense of self-restraint;" and he said further that "the courts are not the only agencies of government that have the power to govern." In both instances he was writing of the Court's handling of New Deal cases. But by 1938 he was hedging, and in what must be the most famous footnote in Supreme Court history, he remarked that in First Amendment cases the same doctrine might not apply. Cardozo had made the same reservation in his well-known opinion in the *Palko* case.

Justice Frankfurter: democracy and judicial values

Justice Felix Frankfurter has seized on the "self-restraint" aspect of this question, and made it the key point in his judicial philosophy. Frankfurter starts with the assumption that we have a democratic system of government, in which the legislatures have the power to make law relatively free from judicial interference. Echoing Holmes, he would allow the people, acting through their representatives, to make their own mistakes: for (as one of his supporters has remarked) "who are judges to deprive the community of the wisdom that comes with self-inflicted wounds, the strength that grows with the burden of responsibility?" This view regards the Court as an irresponsible and undemocratic institution (when it uses judicial review)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which has no right to substitute its judgment for that of the democratic branches of government.

The flavor of Frankfurter's views can best be presented by a quotation from one of his most famous judicial opinions, the dissenting opinion in *West Virginia* v. *Barnette:*

> As a member of this Court I am not justified in writing my private notions of policy into the Constitution, no matter how deeply I may cherish them or how mischievous I may deem their disregard. The duty of a judge who must decide which of two claims before the Court shall prevail, that of a state to enact and enforce laws within its general competence or that of an individual to refuse obedience because of conscience, is not that of the ordinary person. It can never be emphasized too much that one's own opinion about the wisdom or evil of a law should be excluded altogether when one is doing one's duty on the bench. The only opinion of our own even looking in that direction that is material is our opinion whether legislators could in reason have enacted such a law.

It should be noted that in the above quotation Frankfurter has taken Holmes' doctrine of self-restraint and pushed it even farther; for Holmes always recognized that human beings are, after all, human, and so he knew that whatever judges *should* do, they would never in practice be able to achieve the inhuman objectivity for which his theory calls. Frankfurter not only seems to think such objectivity is achievable, but at times he is suspiciously close to saying that he has achieved it.

Further, if the argument appearing earlier in this article is sound, it seems to indicate that the ambiguous nature of the law to be construed actually *forces* the judge to fill in the written law out of his own preconceptions; we may find it interesting to discover what these are, but useless to inveigh against them.

Justice Frankfurter continued:

> When Mr. Justice Holmes . . . wrote that "it must be remembered that legislatures are ultimate guardians of the liberties and welfare of the people in quite as great a degree as the courts," . . . he went to the very essence of our constitutional system and the democratic conception of our society. He did not mean that for only some phases of civil government this Court was not to supplant legislatures and sit in judgment upon the right or wrong of a challenged measure. He was stating the comprehensive judicial duty and role of this Court in our constitutional scheme whenever legislation is sought to be nullified on any ground, namely, that responsibility for legislation lies with legislatures, answerable as they are directly to the people, and this Court's only and very narrow function is to determine whether within the broad grant of authority vested in legislatures they have exercised a judgment for which reasonable justification can be offered.

Perhaps the main difficulty here is that Frankfurter speaks of "our constitutional system" and "the democratic conception of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

our society" as if they were the same thing, and then goes on to define the two phrases only in terms of the latter. He speaks, therefore, of the constitution as only a "power-granting" document, and the limitations contained in the Bill of Rights become (implicitly) mere exhortations to right conduct on the part of the public; or in Learned Hand's words, "Thrown large upon the screen of the future as eternal verities, they are emptied of the vital occasions which gave them birth, and become [not law, but only] moral adjurations." The idea here seems to be that while the power-granting provisions can be enlarged by interpretation to meet later contingencies, the limitations are a time-bound strait jacket on future generations and thus should not be too actively enforced by the courts. The course of judicial decision seems to disprove this idea, since modern interpretations can be (and have been) grafted onto the Bill of Rights limitations just as easily as to other parts of the Constitution.

One might think that at base this is merely a dispute as to whether ours is a limited or a majoritarian democracy; but Frankfurter confuses the issue by admitting that there are occasions upon which the use of judicial review is proper: if we may cite Hand again this may be done not when the legislature "misappraises" values, but only when it fails to appraise them at all. How one is to decide when this occurs Judge Hand does not inform us; nor do Justice Frankfurter's decisions in actual cases seem to offer much enlightenment, for the occasions in which he is willing to use judicial review do not seem to differ fundamentally from those in which he is not. For instance, his flag opinions are statements of his principle, while his opinions in *Burstyn* v. *Wilson* and in *McCollum* v. *Board of Education* seem to be contradictions of it.

There is a dilemma of major proportions involved. Frankfurter's ideas offer no possible guide as to when, and when not, to use judicial review. Logically he seems almost to say we must give up the institution; practically he is not willing to do so. Consequently even a Supreme Court made up of nine Frankfurters would at times lay itself open to the charge of "legislating" —as indeed majorities including him have been so charged (witness the public reactions to the *McCollum* v. *Board of Education* and School Segregation cases)—even though the whole idea is for the Court to avoid legislating.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Justice Black and "selective activism"

Justice Black and his followers have seized upon the other aspect of the thought of Holmes—his firm belief in civil liberties —and built on it a theory that while "self-restraint" is all very well when the *powers* granted to legislatures are involved, the Courts have a duty to intervene in protection of the *limitations* our constitutions place on government action. This involves activism in selected areas only, and thus may be called the theory of "selective activism." (One should not confuse this term with the "selective inclusion" which Justice Frankfurter uses in Fourteenth Amendment due process cases, following the so-called *"Palko* rule" developed by Justice Cardozo.)

This theory rests on a twofold foundation, one part of which consists of a theory about the nature of democracy while the other involves a constitutional argument. As to the nature of a democratic polity, Justice Black has felt (as did Holmes) that a democracy cannot long survive unless it does permit a wide area of liberty. The argument is the obvious one that it is only through the exercise of free expression that democracy can work. As Justice Douglas remarked in his dissent in the *Dennis* case,

> Free speech has occupied an exalted position because of the high service it has given our society. Its protection is essential to the very existence of a democracy. The airing of ideas releases pressures which otherwise might become destructive. . . . Full and free discussion keeps a society from becoming stagnant and unprepared for the stresses and strains that work to tear all civilizations apart. . . . Full and free discussion has indeed been the first article of our faith. We have founded our political system on it. . . . This has been the one single outstanding tenet that has made our institutions the symbol of freedom and equality. . . .

There is, between this and the Frankfurter view, a fundamental difference in the approach to democracy. Frankfurter's is based on the idea of legislative supremacy: the legislature stands as the only proper representative of majority opinion, and the Supreme Court with its power of judicial review is viewed almost as an undemocratic excrescence on the body politic. Black's view, on the other hand, is that democracy consists of a political method which can only be maintained through broad freedom; that the necessity for freedom is so great that legislatures have been constitutionally limited from encroaching on it. In this view the Court is—if not democratic—at least a guardian of democracy. Both approaches believe, in a way, that the people should be allowed to make their own mistakes: but to Frankfurter this means the majority acting through the representative legislature;

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to Black it means the people as a whole acting through freedom of discussion.

The second foundation of the Black-Douglas theory of selective activism is its belief that ours is a *constitutionally limited* democracy, and that in consequence the limitations which are written in the Constitution should be enforced fairly rigidly by courts. Perhaps the best statement of this point of view was made by Chief Justice Stone in his famous dissenting opinion in the first Flag Salute case, in which he said:

> The very fact that we have constitutional guaranties of civil liberties and the specificity of their command where freedom of speech and of religion are concerned require some accommodation of the powers which government normally exercises, when no question of civil liberty is involved, to the constitutional demand that these liberties be protected against the action of government itself.
>
> The framers were not unaware that under the system which they created most governmental curtailments of personal liberty would have the support of a legislative judgment that the public interest would be better served by its curtailment than by its constitutional protection. I cannot conceive that in prescribing, as limitations upon the powers of government, the freedom of the mind and spirit secured by the explicit guaranties of freedom of speech and religion, they intended or rightly could have left any latitude for a legislative judgment that the compulsory expression of belief which violates religious convictions would better serve the public interest than their protection.

Selective activism is not entirely free from ambiguity, particularly in cases where two Bill of Rights provisions come in conflict with each other. And obviously, in view of the controversy existing, it is not the only possible way of looking at the problem of freedom in a constitutional democracy. It is often criticized as allowing too great scope to the personal preferences of judges; and certainly men like Black and Douglas have a strong emotional belief in liberty which dictates their judicial conclusions in civil liberties cases. These are no doubt honest beliefs, deeply felt: but the question remains whether a judge should so consciously base his law on his preferences.

This writer believes that selective activism is a wiser approach to decision-making than Frankfurter's willingness to assume that legislatures are both democratic and reasonable. It is, nevertheless, an arguable point. It will not be finally settled in the near future; it may never be. And perhaps it is in the tension between these two dominant and admirable judges that the most viable reconciliation lies. The truth may not be a monopoly of either side, and we may come closer to a proper balance between the power of a majoritarian government and the liberties of a free

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

people by allowing the two sides to clash than by relying on one alone.

The Future of Judicial Review

It seems, then, that the future of judicial review lies somewhere within the limited spectrum which finds Frankfurter and Black at opposite ends. It is obvious that neither school of thought wishes to abolish this uniquely American contribution to the theory and practice of government. The only foreseeable contingency that might lead to such an abolition would be an activism so unpopular that Congress (or the people, through the amending process) would act to curtail the Supreme Court's power. Almost throughout our history there have been proposals to do this, but no serious curtailments have been adopted. The events of 1937 did not—if the above discussion is accurate—mean any fundamental change in the Court as an institution, even though there was a considerable shift in the course of decision and a resultant pronounced change in the subject matter of American constitutional law. Students before 1940 studied primarily the commerce and due process clauses; contemporary students must concentrate on the Bill of Rights.

At bottom the power of judicial review—both as a general doctrine and as applied in specific cases—rests today, as it has in the past, on public acceptance. Judicial review is democratic in the sense that it is accepted by most people, if in no other way. Such an institution can only survive so long as the general public and officialdom as well accept it, both in principle and in practice. As the courts cannot enforce particular decisions by themselves, neither can they force on us an acceptance of a power we do not wish. Consequently, if the Supreme Court "gets away" with its present activist course in cases involving civil rights and liberties, this would seem to be an indication that the general public (a) still respects and is willing to follow the Court and its power; and/or (b) acquiesces in the major line of court decision.

It seems likely, in other words, that the American public (consciously or subconsciously) feels the need for some sort of "constitutional guardian" despite our general attachment to the idea of majority rule. This need is great enough to have survived tremendous public criticism and disapproval of decisions in particular cases such as *Dred Scott,* the *Sugar Trust Case,* and the New Deal cases. It seems also to be surviving the present wave of criticism, although it is perhaps too soon to make a final judgment on this question.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It is true that we are no longer as naïve about judicial review as we once were; it no longer gains strength from the idea that the decisions of the Court have the authority (if sometimes also the Delphic ambiguity) of an oracle. Indeed, we now take it for granted that judges are all too human and that their decisions are inevitably suffused with their humanity; this is perhaps the great lesson taught us by Justice Holmes. And while the change may have destroyed the mystical prop on which judicial review has often been thought to depend, it may be that our more sophisticated and realistic approach today actually gives judicial review a strength which it did not have before. For we are not, today, likely to be disillusioned by individual decisions: we take it for granted that human beings even on the bench are fallible. Nor do we any longer take very seriously the charge (as made by Southerners in the school segregation situation) that a decision is "political," since we take it for granted that all constitutional decisions are inevitably political—and because we know that the opposition to particular decisions (on and off the bench) is also inevitably political. If our attachment to judicial review is no longer mystical, but realistic, it may gain strength from this fact, since it can be seen to be based on realistic reasoning and can be held without undue expectations. Perhaps we no longer expect judicial review to save us, but only to help us save ourselves.

LOREN P. BETH

UNIVERSITY OF MASSACHUSETTS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE H-BOMB DECISION

HOW TO DECIDE WITHOUT ACTUALLY CHOOSING*

PRESIDENT TRUMAN made his first H-bomb decision on January 31, 1950. He ordered the Atomic Energy Commission to continue its efforts to determine the technical feasibility of a thermonuclear weapon. The rate and scale of the effort were to be fixed jointly by the AEC and the Department of Defense. He also ordered the Department of State and the Department of Defense to re-examine the nation's strategic objectives and plans, both diplomatic and military, in light of the forthcoming developments to be expected in Soviet nuclear weapons capabilities. Both directives had been recommended to the President in a report submitted the same day by a special committee of the National Security Council, composed of the Secretaries of State and Defense and the Chairman of the Atomic Energy Commission.[1]

The report of the special committee and the President's subsequent decision marked the first resolution of a policy discussion that had begun in September, 1949, with the discovery that the Russians had exploded a fission bomb. This discussion had been broadly concerned with the implications of the Soviet explosion for American security and with the question of what actions the United States should undertake as a result of it. The first purpose of this article will be to contrast the content and form of the President's decision with that of the policy discussion that had preceded it. The point of this contrast will be to illustrate the "minimal" character of the decision made on January 31st. Of all the courses of action considered and debated during the preceding five months, that chosen by the President represented one which seemed to close off the least number of future alternatives, one that left the most issues still undecided. The second

* This article is based on part of the research conducted on the H-bomb decision by the present writer in connection with the Civilian-Military Perspectives Project of the Institute of War and Peace Studies, Columbia University. Research and article have both benefited greatly from the guidance and criticism of the Institute's Director, William T. R. Fox. Earlier versions of the article were prepared for discussion at the Arms Control and National Policy Seminar, California Institute of Technology, and the December 1960 meeting of the American Historical Association.

[1] See Harry S. Truman, *Memoirs* (New York, 1956, 2 vols.), vol. 2, p. 309.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and third purposes of this article will be to advance an explanation for the minimal character of the decision and to indicate some of the policy consequences that followed from its having been made in this manner.

The Policy Background

The explosion by the Russians of a fission bomb on August 26, 1949, was an event which took American policy-makers by surprise and one for which they had prepared neither specific plans nor a general strategy. The Joint Chiefs of Staff, taking what many believed to be a pessimistic view, had not expected the Soviet Union to detonate a fission weapon until 1952. Although steps had been taken prior to August, 1949, to provide for the detection of such an explosion, nowhere in the government had any formal attention been given to the question of what actions might be appropriately taken once the evidence of an explosion had been detected. The absence of forward planning can be attributed in part to the absence of any formal deadlines or pressures compelling planning groups in State, Defense, or the Commission to undertake it. It can also be attributed to the absence of any generally agreed-on body of strategic thought regarding the foreign policy implications of nuclear weapons which could have served as a point of departure and frame of reference for more specific plans.

Since the end of the Civil War, the continental security of the United States had been doubly insured. First, by virtue of its superior military potential which completely overshadowed that of the other Great Powers, the United States had no need to fear any nation. The weapons of World Wars I and II and the distribution of the people, skills, and resources necessary to make and use these weapons were such that no single foreign nation could conceivably mobilize enough military power from inside its own frontiers to assault successfully the American continent. Secondly, by virtue of the balance of power abroad, the United States could afford to leave its potential largely unmobilized. The interests and arms of the other Great Powers were so committed one against the other that none was free to direct its strength against the United States. In time of peace these Powers did not dare turn their backs on more immediate enemies, and in time of war their hands were full fighting them. The American continent was subject to only one serious military threat: the possibility that through conquest and alliance the people, skills, and resources of the Old World might be

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

gathered together into one hostile combination. Only in this event could the United States be confronted with a military potential roughly equivalent to its own. The result, if not in all instances the intent, of American intervention in World Wars I and II had been to remove this contingency from the realm of reality.

Following World War II two revolutionary changes occurred in this security position. The first was the inability of the European Powers to re-establish a balance of power on the European continent. The nations of Western Europe were in no position to prevent the Russians from achieving at their ease what had just been so painfully wrested from the hands of the Germans: an empire from the Urals to the Atlantic embracing all the peoples, skills, and resources of the Old World. The United States moved resolutely to meet this situation, both through policies designed to substitute American power for European (the Truman Doctrine, the North Atlantic Treaty) and through policies designed to restore to the Western Europeans themselves the capacity to balance the Russians (the Marshall Plan, the Mutual Defense Assistance Program).

These policies, which constituted the main burden of American security policy between 1945 and 1949, were addressed to a real and immediate problem. They were, however, essentially pre-nuclear in their rationale. The advent of nuclear weapons had not influenced the American determination to restore the European balance of power. It was, in fact, an objective which the United States would have had an even greater incentive to undertake if the fission bomb had not been developed. Nor were nuclear weapons believed to have qualitatively altered the military problem of achieving that objective. The American monopoly of the atomic bomb was seen as greatly facilitating the task of defeating the Red Army (and hence in deterring an attack by it), but in the judgment of at least two of the three services it would still be necessary to maintain sufficient ground strength on the continent to permit the mounting of the large-scale land offensive which they believed would be required in order to terminate the war.[2]

[2] For the rationale of the American interest in restoring the European balance of power, see Walter Millis and E. S. Duffield, editors, *The Forrestal Diaries* (New York, 1951), pp. 341, 349-351. For military doctrine regarding a war in Europe, see e.g. General Omar Bradley, "This Way Lies Peace," *Saturday Evening Post*, vol. 220, October 15, 1949, and Walter Millis, Harvey C. Mansfield, and Harold Stein, *Arms and the State* (New York, 1958), pp. 237-245, 247-249.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In the summer of 1949 the second revolutionary change in the American security position, that occasioned by the advent of Soviet nuclear weapons-systems, had yet to occur. This was a development destined to change completely the strategic significance of the traditional components of American security. The new weapons were so cheap and so destructive, relative to the old, that the Soviet Union would have the ability to mobilize from inside its own frontiers enough military power to accomplish what had heretofore been beyond the means of any single foreign nation: the capacity to strike a mortal blow at the American continent. The consequences were two-fold: the industrial superiority that had guaranteed victory in two World Wars was no longer the equivalent of overwhelming military potential, and the United States could no longer afford to leave its potential largely unmobilized during time of peace. Unlike the case of the Kaiser's or Hitler's Germany, the conquest of the people, skills, and resources of the Old World would not be a necessary first step in a Soviet attack on the United States. As a result, the United States would no longer be able to count on the unfolding of such conquest (1) to provide time for Americans to alert themselves to danger and to arm to meet it, and (2) to provide allies to preoccupy the enemy until they were ready. In fact, the import of the second revolution was to diminish that of the first. The more developed Russian transcontinental nuclear striking power, the less important would be the addition of Western Europe's people, skills, and resources for a Soviet attack on the United States and, perforce, the less significant the distribution of power on that continent for the security of the United States.

The implications of the advent of nuclear weapons for American security were stark. American policy between 1945 and 1949 had by no means been blind to these possibilities, and two major policies had been formulated to meet them. The first was the proposal made for international control of atomic energy, which by the fall of 1947 appeared to have little prospect of being accepted by the Soviet Union. The second was the development of a military doctrine to cope with the contingency of two-way nuclear war. The character of this doctrine can be seen in the report released in January, 1948, by the President's Air Policy Commission. Bluntly entitled "Survival in the Air Age," the Finletter Report called for a "new strategy" to provide victory in an atomic war if it came and, hopefully, by confronting the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

enemy with the "prospect of a counterattack of the utmost violence," to persuade him not to attack in the first place.

According to the Report, this strategy would require an Air Force capable of smashing the Russian cities and factories. The prospect of such a "devastating price" would make the Soviets hesitate to attack. The Air Force would also need the capability of launching a counteroffensive against the Russian air forces "at the earliest possible moment" in order "to silence the attack on the United States mainland and give us the time again to build up our industrial machine and our manpower to go on to win the war." The Soviet objective, on the other hand, would be to smash American industrial power "at the outset" and to destroy the American air defense and counterattack forces. Basically, however, what was outlined in the Finletter Report was not so much a "new strategy" as the problems and choices over which the discussion of strategy was to ponder for years thereafter. The Report took no note of the possible conflicts between a strategy designed to deter atomic attack and a strategy designed to win an atomic war. Neither did the Report confront the question of why, if the United States could achieve a counteroffensive blow of the magnitude described against Russian cities and delivery forces, the Russians could not do the same or better with their attacking blow, and, in this event, against what and with what would the United States launch its counterattack? [3]

These, then, were the three major postwar security policies that the United States had evolved by the eve of the Russian explosion: the effort to restore the European balance of power; the effort to secure international control of nuclear weapons; and the effort to evolve a force for two-way atomic war and a strategy to guide it. The three objectives were by no means carefully interrelated. Just as the strategy to restore the European balance of power made no provision for the time when American security would cease to turn on the stability of that balance, so the strategic doctrine outlined in the Finletter Report, while correctly anticipating that the future pivot would be the stability of the Soviet-American balance of terror, made no provision for the possibility that the United States would continue to have a political and military stake in the independence of Western Europe. As for the proposal for international control, this, if accepted, would require a substantial revision of the forces required to implement both of the other objectives. It should also

[3] See *Survival in the Air Age,* A Report by the President's Air Policy Commission (Washington, 1948), pp. 6, 10, 12, 14, 20, 23-25.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be noted that each of these three policies had the potential of pointing the American response to the Russian explosion in a different direction. With the passing of the American monopoly on the atomic bomb, the defense of Western Europe might now require a larger commitment of ground forces than had heretofore been necessary. The need to prepare for two-way atomic war, on the other hand, would seem to call for the allocation of additional resources to the weapons for air attack and defense and an expansion in the size of the nuclear stockpile. Finally, the development by the Russians of their own nuclear weapons could be seen as the proper occasion to reopen and redouble the effort to secure their control by an international agency.

It was against this background of policy that discussion began in September, 1949, on the question of what should be done now that the Soviet Union had exploded an A-bomb. The major participants in this discussion came from five government institutions: the Departments of State and Defense; the Atomic Energy Commission (including a number of scientists employed in full or in part by the Commission or its subcontractors); the Office of the President; and the Joint Committee on Atomic Energy of Congress. By far the bulk of the policy discussion among these participants took place informally, and the degree and effect of the initiative exercised through these informal contacts fully support the insight of the observer who commented that the Federal Government is the last stronghold of private enterprise in the United States. Although a number of the participants had begun by December, 1949, to leak some of the subject matter of the discussion to the press, the policy discussion was for the most part closed to the general public.

The formal development of the policy discussion was tied to the bureaucratic history of a particular issue, that of whether to undertake an intensive effort to make a thermonuclear weapon. This matter was placed on the agenda of the Atomic Energy Commission on October 5th for reference to the Commission's main scientific advisory body, the General Advisory Committee. Both the report of the GAC, submitted on October 30th, and that submitted by the five Commissioners to the President on November 9th made it clear that the issue was hardly one that could be decided without reference to political and military as well as technical considerations. For this reason, and because he was well aware of the differences that were developing both between and within the major governmental bodies involved in the issue, the President referred the issue on November 10th to the pre-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

viously noted special committee of the National Security Council. Under the auspices of this committee a working group was set up, composed of representatives from each of the three Executive agencies concerned: State, Defense, and the AEC. In addition to the work done jointly by this group, each agency also conducted a variety of independent studies into aspects of the problem, and the ultimate products of this activity were the recommendations submitted by the special committee to the President on January 31, 1950. It should be noted that throughout this period the Joint Committee on Atomic Energy was active in exploring the issue and voicing its views, through letters and personal visits by the Chairman to the President.

It will be the purpose of the following section to present a summary description of the issues and alternatives that were developed during the course of these proceedings. Although there will be occasional references to individual or institutional views, the purpose of the section is not to describe in any detail the positions held by particular individuals or government bodies with regard to the issues and alternatives discussed. The views of most of the individuals concerned were quite complex, and individual views within the same government bodies were by no means uniform. Many individuals and agencies took similar policy positions but for quite different reasons, and the views of some individuals and agencies changed over the time period involved. The summary is meant to delineate not individual or institutional positions but rather the range and content of the major policy proposals and considerations that were produced as a result of these five months of debate and deliberation.[4]

Issues and Alternatives

The discovery that the Soviet Union had exploded an A-Bomb several years before it had been expected to do so suggested to

[4] The information in the preceding paragraphs and the sections that follow can largely be found in two published sources: Truman, *op. cit.*, vol. 2, ch. 20, and United States Atomic Energy Commission, *In the Matter of J. Robert Oppenheimer*, Transcript of Hearing before Personnel Security Board (Washington, 1954). The article also draws upon extended personal interviews during 1956-1958 with sixty-six of the participants in the events discussed. Given the character of interview data and the particular focus of this article, it is the present writer's conclusion that the best way to meet scholarly obligations to both readers and participants is by omitting citation for the points that follow. The same considerations are responsible for the fact that these pages omit reference to individuals except where stylistically infeasible. Detailed description and citation will, of course, be later available with the publication of the whole study of the H-bomb decision.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

many that one response should be to step up the pace of America's own nuclear weapons program. Since plans had just been completed to provide for a major expansion in the facilities for producing fissionable material and to undertake the development of fission weapons of much larger power and varied size than those heretofore fabricated, the focus of attention turned to the prospects for making a fusion weapon. The possibility of such a weapon had first received detailed study in 1942, and it had been a continuing concern of the atomic energy program ever since. It had proved, however, a recalcitrant technical problem and, both during the war and after, work on it had been given a much lower priority than work on the development and improvement of fission weapons.

The idea, in the fall of 1949, that a greater effort to make a fusion weapon was now in order received some stimulus from what were believed at the time to be some promising new technical approaches to the problem, but the major motive for reconsidering the state of the program was provided by the Russian explosion. Those who advocated a greater effort were moved by two considerations. One was the idea that if the United States could develop a bomb with thousands of times the energy release of the Hiroshima bomb, it would be able to maintain its qualitative lead over the Soviet program and thereby minimize the political and military disadvantages of the loss of its fission monopoly. Even more compelling, in the minds of most advocates, was the possibility that if the United States did not move more energetically to explore this possibility, the Soviet Union might be the first to achieve such a capability.

This reasoning seemed so persuasive to its advocates that many did not bother to think through in much detail, especially in September and October, exactly what advantages the United States could get from such a weapon that it could not secure through its superior stockpile of fission bombs or, for that matter, just what it was that the Russians might do if they secured an H-bomb first. It seemed sufficient and obvious that in the first instance American interests would be advanced, and that in the second they could only be hurt. Nor were the advocates of a greater effort very definite during September and October with regard to the rate and scale of the effort they had in mind. The analogy of the effort made during the war to develop the A-bomb came naturally to mind, and it was in these terms that the proposal was formally placed on the agenda of the Commission.

The issue of the rate and scale of the program could not be

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

left in such ambiguous terms. The particular thermonuclear design which most of the participants had in mind, the so-called "Super," required as one of its major components a large amount of tritium. The most feasible method of making tritium was to bombard lithium with neutrons, and neutrons which were used to make tritium would not be available to make plutonium. Accordingly, the manufacture of tritium for the Super would mean foregoing the manufacture of fission bombs. Moreover, the scientific talent of the nation, as well as its supply of neutrons, was limited. Scientists put to work on the Super would be scientists not available to work on the new fission weapons. A more intensive effort to make an H-bomb would, in short, involve costs to the nation's A-bomb program.

The discussion that developed among the participants about the costs that an expanded H-bomb program would entail for the A-bomb program proved to be one of monumental confusion and misunderstanding. The least of the difficulties was that no one knew just how much tritium the Super would require. The major difficulty was that (a) the participants were reasoning from diverse premises about the kind of effort to be made and about the value of the weapons involved, and (b) the divergent character of these premises were by no means always made clear in the arguments that were then joined.

Thus, the development of any consensus with regard to the plutonium costs involved was handicapped by the fact that some participants were thinking in terms of making only enough tritium in the Hanford reactors to support a test program, others contemplated a larger diversion of those piles in order to have a stockpile of tritium immediately on hand with which to fabricate a number of usable weapons in case the Super proved feasible, and still others were thinking in terms of building a number of new reactors for the production of the tritium stockpile, and it was not always clear whether they expected those reactors to be in operation before or after a demonstration of feasibility. The discussion of the talent costs was similarly complex. Some scientists did not see how additional talent could be put to work profitably on the problem even if it was made available. In their view the Los Alamos Laboratory was already doing about all that could be done. Others were convinced that the problem had been starved for talent all along. The development of a consensus on this point was further complicated by the fact that some thought the additional talent could be secured by bringing in scientists not then working on fission weapons, and others

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

believed that if more people were put to work on the Super they would have to come mainly from those already engaged in fission work.

Difficult as it was for the participants to reach any common conception of what kind of expanded H-bomb program they were talking about and what kind of cost it would bring to the A-bomb program, this was only half the problem in reaching a conclusion about the rate and scale of the effort to be made. A judgment about the desirability of foregoing any given number of plutonium bombs or incurring the delay or loss of any given number of improvements in the development of fission weapons would depend on the application of some criteria for comparing the relative military utility of A-bombs and H-bombs. One of the major reservations expressed by the scientists on the GAC about the idea of embarking on a large-scale H-bomb program was the result of the application of such criteria. They were by no means confident that the Super could be delivered by air, and they thought there would be few targets for which a bomb of such large yield would be suited. They concluded that the military purposes of the United States would be much better served by the A-bombs and A-bomb developments which would otherwise have to be foregone or postponed.

Illustrative of how different participants were talking about different things is the fact that the GAC judgment cannot be directly compared to that of the Joint Chiefs of Staff. At the time of the GAC report, the Chiefs were on record before the Joint Committee as desiring an accelerated effort to develop the Super, but they had not been specific about the rate and scale of the effort they had in mind and, hence, the A-costs they were willing to incur. When the Commissioners submitted their report, guidance on this point had yet to be produced by the military, and this was one of the questions to which they urged the President to secure an answer before making his decision.

The issue of the rate and scale of the effort to be made on the H-bomb thus turned, in part, on the issue of the relative military utility of H- and A-bombs. The discussion of this issue was conditioned, in turn, by the issue of what strategic doctrine should guide American military policy. It was here, at the level of general strategy, that some of the most significant differences existed among the participants. The three issues were so interrelated, however, that the participants were not always able to distinguish against what (and even for what) they were arguing.

The GAC report is a case in point. Many of its members were

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

by no means persuaded that the doctrine of strategic bombing was a desirable military policy. Their views were not far removed from those of the Admiral (who was also a member of the Military Liaison Committee to the AEC) who had argued before the House Armed Services Committee in October, 1949, that strategic bombing was militarily unsound, morally wrong, and not suited for achieving the kind of political conditions the United States would want to obtain at the conclusion of a war. The GAC's recommendation against the development of the H-bomb was grounded, in part, on the belief that its only utility would be for the bombing of large cities and the objection to a military doctrine which would lead to the mass slaughter of Russian men, women, and children. The point was blurred, however, by their failure to carry through and make clear that they had equivalently strong objections to the use for this purpose of the products of the expanded fission program which they did support.

Another issue of doctrine interjected into the debate related to the conditions under which the United States would use nuclear weapons. It was argued by some that a decision with regard to the H-bomb program could not be rationally made until it was first decided for what purpose the United States was accumulating nuclear weapons: for the purpose of deterrence and retaliation only, or with the intent of so incorporating them into military plans and structure that the United States would initiate their use regardless of whether they had been employed by the enemy. The point to the argument was the idea that if weapons were being accumulated for the first purpose only, given the great value which the Russians attached to their industrial plant, a limited number of fission bombs would be sufficient to serve it.

The preference for a strategy based on last-resort use and for a clear-cut rejection of the principle of first use was strong among those who had major reservations about the desirability of strategic bombing and those who doubted the capacity of the American public to conduct itself rationally in a world in which conflict with the Soviet Union would continue to be deep and basic but in which a resort to violence would become increasingly suicidal. Among the participants in the Department of Defense, however, these arguments received a different reception. There was no great interest in adopting a strategy which seemed to bind the United States to fight only on terms of the enemy's choosing, and there was determined opposition to the idea that the need for an H-bomb program turned on the making of such

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a choice. It was the judgment of these and other participants that for an effective performance of the task of deterrence as well as that of fighting a victorious war the armed services would need the most powerful weapons they could secure.

The idea that an over-all review of national policy and a decision with regard to these strategic issues should precede the further development of the H-bomb was energetically pressed at the NSC level by the Chairman of the AEC, David Lilienthal. One reason why he did so relates to still another issue: that of the relative utility of conventional as compared to nuclear weapons. During the NSC discussions, Lilienthal was shocked to learn just how dependent the military were on nuclear weapons, and he became convinced that what the United States needed far more than the H-bomb was a large-scale increase in conventional armaments. This conclusion was influenced in part by the prevailing military judgment that nuclear weapons alone could not win World War III, but it also reflected Lilienthal's own conviction that the foreign policy purposes of the nation would be better served by a military posture that was not so dependent on the use of large bombs against urban targets.

It was Lilienthal's contention that the decision on the Super should be delayed until an effort had first been made to review the nation's strategic doctrine and to consider the desirability of reducing the nation's dependence on large-yield nuclear weapons by increasing the size of its conventional forces. He believed that if the decision to press for the Super was made first it would prejudice the chances for a later review of that choice and greatly lessen the opportunity to secure conventional rearmament. There would be little prospect of persuading Congress and the public to support an expensive conventional rearmament program, he argued, once the Super program was announced, for most would conclude from the announcement that the security of the United States was in good shape and that the answer to the Russian A-bomb had been found.

One other major issue was raised in connection with the H-bomb debate and that was the question of its relationship to the effort to secure international control of atomic energy. The feeling was strong among many, especially the GAC and members of the Commission, that with the development of the Russian A-bomb the world had reached a crossroads in history. From this point it stood fair to continue into the mounting tensions of a nuclear arms race and perhaps, in time, into the horrors of nuclear war. The most appropriate thing to do at this time,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

so it seemed, was not to rush to try to make even bigger bombs but rather to make a last determined effort to reverse the direction that international politics had been taking since 1945. To those who thought in these terms the urgency of those who advocated a more intensive H-bomb program seemed both intemperate and short-sighted. To those who thought negotiation with the Russians fruitless, the insistence on delay seemed quixotic and dangerous.

The specific ideas advanced by the GAC and some of the Commissioners as to what might be done to reopen the international control negotiations or to otherwise try to move the world away from a nuclear arms race were, however, most indefinite and not very clearly stated. Some suggested that the United States increase the scale of its research on the H-bomb but not go all-out on the H-program without first reopening the international control negotiations with the Russians. Others recommended not pushing ahead at all on the H-bomb until it and the control of nuclear weapons in general had been first discussed with the Russians. (The minority annex of the GAC report suggested, in this connection, that the two Powers might agree not to make the H-bomb. Since its successful development was believed to require a test, violation of the agreement could be easily detected.) The most extreme position was that taken by the majority of the GAC, which recommended that the United States unilaterally announce that it was not going to make the weapon.

This last recommendation illustrates the interconnection among all the issues involved in the discussion. The judgment of those who made it was that the United States would not be losing much: a weapon that looked as if it would be very hard to make; one which would cost more in A-bombs than its military utility was worth; and one which if used would be employed in a manner highly repugnant to the values for which American culture was supposed to stand. It was believed that the Russians would not try very hard to make it themselves, given the cost of the weapon, the uncertainty that it could even be made, and the American example. Renunciation, so it was thought, was an opportunity for America to gain considerable moral prestige at very little cost and to make some contribution to the possible limitation of warfare in the future.

The Decision Examined and Explained

It is appropriate at this point to recall the content of the President's decision on January 31st: that an effort be made to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

determine the technical feasibility of a thermonuclear weapon; that the rate and scale of the effort be fixed jointly by the AEC and the Department of Defense; and that the State and Defense Departments undertake concurrently to review the nation's foreign and military policies in light of the prospective nuclear capabilities of the Soviet Union.

This decision stands in some contrast to the issues and alternatives just described. Had the President decided the issue of the rate and scale of the H-bomb program? Had he decided that the military utility of the Super would be worth the A-costs involved? Had he made a decision about the military and political desirability of strategic bombing? Had he decided whether military doctrine with regard to nuclear weapons was to be governed by the principle of first use or that of last resort? Had he decided that the nation needed bigger nuclear weapons more than it needed large-scale conventional rearmament? Had he decided not to renew negotiations with the Soviet Union on the subject of international control?

The President had decided none of these things. This is not, of course, to say that he had decided nothing at all. He had quite definitely decided that the United States would not unilaterally renounce the effort to make an H-bomb. Although a literal reading of his directive with regard to the determination of feasibility would indicate that he had ordered the AEC and Defense only to continue what they had already been doing, there was certainly an implication that they should approach the task with a greater sense of urgency than had heretofore been the case. The directive also made it evident that the President had not endorsed an intensive H-bomb program. The directive said nothing about production facilities for the Super, nor did it even specify that the determination of feasibility was to include a test program.

The President had also decided to order the re-examination of the nation's strategic plans that so many had urged. He further decided not to wait until the completion of that review before making his H-bomb choice. He had similarly decided against two other alternatives which involved a delay in his making that choice: the alternative of first exploring the possibility of international control, and the alternative of first endeavoring to secure a large increase in conventional arms.

The President did make choices, but a comparison of the choices that he made with those that he did not make reveals clearly the minimal character of his decision. It bears all the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

aspects of a conscious search for that course of action which would close off the least number of future alternatives, one which would avoid the most choice. Thus the President had affirmed his interest in exploring the feasibility of an H-bomb, but he had said nothing about testing a device if one were fabricated, nothing about producing a weapon if the device were ever tested, nothing about how many weapons would be produced if any were made, nothing about whether such weapons would ever be used if produced, and nothing about the purposes for which such weapons would be employed if ever used.

An explanation for the minimal character of this decision is to be found partly in the views and power of those who shaped the recommendations of the special committee of the NSC, partly in the character of the American governmental process, and partly in the perspectives with which the participants approached the problem of choice. With regard to the first factor, the decisive influence on the outcome of the H-bomb discussion proved to be that of the State Department. It was the Secretary of State who spoke with authority, so far as the President was concerned, with regard to the various foreign policy hopes and fears that had conditioned the views of many of the other participants. It was also the Secretary of State who held the balance of persuasion, so far as the President was concerned, on those issues on which the representatives of the Department of Defense and the Atomic Energy Commission were divided.

The State Department was responsible for rejecting the various alternatives which involved some approach to the Russians with regard to international control before undertaking to accelerate the American H-bomb program. It was, in the opinion of Secretary of State Dean Acheson and those who assisted him on the NSC committee, simply not a time period in which the Russians were interested in serious negotiations. All that could be expected from approaching them would be stalling tactics which might embarrass or perhaps even completely inhibit the American program while leaving the Russians free to push ahead on their own.

The State Department sided with the Secretary of Defense, Louis Johnson, in stressing the importance of not delaying in the effort to discover whether the Super could be made, although the reasoning in the two Departments was somewhat different. A number of planning groups within the Department of Defense had given careful study to the military utility of the Super, and the suggestions that it was in all probability not worth making

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

struck them all as unsound, to say the least. (One member of the GAC was later to observe that the GAC report had the unprecedented effect of unifying the services.) If the judgments of some of the scientists were grounded on a concern for what the world would look like after an H-bomb war, and those of the military on a concern for what it would be like to have to fight an enemy who had a monopoly on such a powerful weapon, those of the State Department representatives reflected a concern for the diplomatic opportunities the Russians would gain from such a monopoly for political blackmail around the Soviet periphery. Most of Acheson's advisers took this possibility very seriously, as did the Secretary himself.

The State Department's strong interest in avoiding the possible consequences of the Russians getting the H-bomb first also led Acheson to side with Defense with regard to the alternatives of reviewing the nation's strategic plans and of securing an increase in conventional weapons before making a choice about the H-bomb program. Acheson was quite willing to undertake such a review concurrently (as was Defense), and, as the Department's work on this review in the spring of 1950 was to show, he was prepared to push hard for an increase in conventional weapons. But he wanted no delay on the H-bomb research.

Lilienthal's arguments for the priority of a conventional weapons program might plausibly have been expected to win him some allies in the Pentagon, especially in the Army. They did not, largely because they were suspect. The fact that they associated Lilienthal with many of the GAC views led most of the military representatives to discount his argument as a device to delay the H-bomb for what were, really, other reasons. There was, moreover, a history of AEC-Defense disputes over the rôle of the AEC in determination of military requirements that made the defense representatives especially unresponsive to what was considered AEC meddling. President Truman, who had the greatest stake in not dissipating the persuasive lever that the Russian A-bomb gave him if he was later to press for a large-scale rearmament program, was not in the habit of examining the decision immediately before him for its implications for his future choices, and he, too, proved unresponsive to the argument.[5]

The character of the President's decision owes much to the coincidence of State and Defense views. It must also be attributed, however, to one of the major necessities of the American

[5] For Truman's decision-making style in this respect, see Richard E. Neustadt, *Presidential Power* (New York, 1960), pp. 172-173.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

political process: the need to avert conflict by avoiding choice. The distribution of power and responsibility among government élites is normally so dispersed that a rather widespread agreement among them is necessary if any given policy is to be adopted and later implemented. Among the quasi-sovereign bodies that make up the Executive the opportunities to compel this agreement are limited. Agreement must be given, and it will not long be given for nothing. This condition of mutual dependence, the need, as it were, to "build a consensus" that includes one's enemies as well as one's friends, produces a strain toward agreement in the political process that is as fully characteristic of that process as the conflicts in which the participants are continually engaged.

There are many occasions when the necessary amount of coöperation can be achieved only by the device of avoiding disagreement, that is, by postponing the consideration of issues over which long and determined conflicts are certain to be waged. The H-bomb decision is a case in point. The issues which the President did *not* decide were all matters which, if he had endeavored to resolve them, would have pushed one group or another of his subordinates into passionate opposition. The President's position in the political process, however unique, is one which finds him, too, dependent upon the coöperation of others for the success of his policies, and Truman, in this instance, saw no reason to go out of his way to stir up a momentous struggle within his administration. Although he carefully read all the documents involved, from the GAC report through the NSC studies, Truman's own position on the H-bomb issue was the same in January as it had been in October when he first had heard of it. If the bomb could be made, he did not see how the nation could afford to let the Russians get it first, and he was therefore prepared to back whatever program made sense to the Departments concerned.[6]

If the President had no interest in maximizing conflict, neither had the members of the special committee. Acheson was quite aware of the gulf between Lilienthal's views and those of Johnson. Indeed, he was obliged to meet each separately, since Lilienthal's and Johnson's personal relationship had deteriorated to the point where they could not profitably meet together. He was therefore

[6] The analysis in these two paragraphs owes much to the stimulation of Gabriel Almond, *The American People and Foreign Policy* (New York, 1950), pp. 143-145; Neustadt, *op. cit.*, esp. ch. 3; Roger Hilsman, "The Foreign-Policy Consensus: An Interim Report," *Conflict Resolution*, December 1959; and Samuel P. Huntington, "Strategic Planning and the Political Process," *Foreign Affairs*, January 1960.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

consciously searching for the common ground between them. The military representatives on the NSC working group, for their part, proved not only willing but eager to follow the lead of the State Department and back a recommendation that called for only a determination of the feasibility of the Super. The responsible officials in the Department of Defense had never been among those demanding an H-bomb program on the scale of the Manhattan District. They were determined primarily in their opposition to the views and recommendations that had been advanced by the GAC and some of the Commissioners.

The final factor conditioning the character of the decision was the nature of the perspectives with which the participants approached the problem of choice. The influence of Truman's "one decision at a time" approach has already been noted. The perspective that the military members of the NSC working group brought to the decision was: "what needs to be decided *now*?" What needed to be decided now, in their view, was whether the government would make an urgent effort to determine the feasibility of the weapon. This would settle the immediate problem of defeating those who argued for delaying the program, for one reason or another, and those who argued that the weapon was of insufficient value to justify diverting any more neutrons and talent to pursue it. What need at this point, they reasoned, to stir up discussion regarding the production or use of the weapon. By avoiding these issues, Defense would avoid certain conflict with the AEC and possible conflict with State. Avoiding these issues would also permit the Department to present a unified front to its enemies. The Army and Navy were as persuaded as the Air Force that the nation had to have this weapon, if it was to be had, and that it should be secured before the Russians got it. But there was real potential for disagreement among the services once the issues of production and use became operational. If very large amounts of tritium were to be manufactured, the plutonium foregone might well cut into that which the Army and Navy hoped would soon be available for their use, and at this point the doctrinal issues that divided the services with regard to the relative importance of strategic bombing as compared to other approaches to victory would be certain to arise.

The perspective with which the State Department representatives approached the decision was one that worked, in this instance, to the same end as that of the military but was significantly different in its rationale. Instead of asking "what has to be decided *now*," they asked: "what is the *least* possible that can be

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

decided." The purpose was not so much to avoid conflict as it was to keep as many alternatives open for the future as possible, in order to be in a position to take maximum advantage of new information or changed conditions. It was with this perspective in mind that State drafted the recommendations that the special NSC committee later submitted to the President.

Of the three agencies, the perspective of the Commission representatives came closest to that of "what is the *most* that has to be decided." In fact, both State and Defense representatives had the feeling that the Commission was deliberately holding up the H-bomb program as a means of trying to force them to confront some of the major choices involved. The end result of the tactics of State and Defense, however, was to leave Lilienthal with very little to argue against or to argue for. Rate and scale? No one was urging an all-out program that would entail extremely large fission costs. Military utility? All that was being advocated was an effort to determine whether and at what expense the Super could be made; what better way to treat the question of its military value. Issues of strategic doctrine? State and Defense were to start immediately to review them, and an H-program so modest as not even to specify the conducting of a test could hardly be said to prejudice the results of such a review in advance. International control and the need for conventional weapons? Both of these matters would be given intensive study by the State-Defense review. Lilienthal could not shake the feeling that even in its minimal form the decision would prejudice the opportunity to depart from a big bomb strategy and he so argued to the end, but he had by now the feeling that there was no one at the NSC level with whom to argue.

Consequences of the Decision

One consequence of the minimal character of the President's decision was that all the issues on which he had avoided making any choice came back at him again. Thus, by the winter of 1951-1952 the disputes and dissatisfaction regarding the rate and scale of the program had reached such proportions that Air Force officials were considering setting up a weapons laboratory of their own. Similarly, in 1950 new investigations indicated that the tritium required for the Super would be much greater than that estimated at the time of the President's decision. This information, together with the concern that the Korean War might soon develop into all-out war with Russia, served in December, 1950, to reopen the discussion of the military utility of H- as compared

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to A-bombs and the desirability of incurring significant costs to the fission program in the effort to make it.

The State-Defense review, which became NSC-68, addressed itself boldly to the need to increase America's conventional weapon strength, but it did not really come to grips with the issues of nuclear strategy that had been raised during the H-bomb debate. Thus in December, 1951, when a group of scientists were active in urging the development and production of a large number of A-bombs for tactical use in the ground defense of Western Europe, the rationale for the proposal was in part the search for a strategy that would serve American security without requiring the bombing of cities. Their hope was that if the Red Army could be defeated through the battlefield use of A-bombs, the Strategic Air Command would be relieved of the burden of deterring a Soviet ground attack and free to exercise an option as to whether it struck the Soviet cities and initiated, thereby, an exchange that would bring bombs down on European and American cities as well. The issue of strategic bombing remains partly unsettled even today, as does the issue of last-resort use versus the principle of first use, although the terms are now "city-busting" versus "counter-force" and "second-strike" versus "first-strike" strategies. Similarly, the issue of conventional weapons versus nuclear weapons constituted a major source of debate during the whole of the Eisenhower administration.

The H-bomb decision is hardly the only occasion on which the policy process has produced a minimal decision. The continuous winnowing and worrying of the same old issues is an inevitable consequence of a political process that depends on the voluntary coöperation of independent and competing élites for the formulation and conduct of policy. Major policy changes can, for the most part, be effected only through slow and incremental change. However, as the same issues come around for the second, third, and nth time, they do so in a context slightly altered by the previous minimal choices to which they have been subjected.

The unilateral renunciation idea, for example, could hardly be advanced, after the President's decision, in the same form that the GAC had recommended it in October, 1949. It had to reappear in the form advanced by some other scientists in February, 1950: that the United States pledge itself not to be the first to initiate the use of H-bombs. Similarly, when the international control issue reappeared in November, 1952, with the proposal that the United States not set off its hydrogen device until it

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

had first tried to negotiate an agreement with Russia not to test H-bombs, the conditions of the problem were not quite those that had prevailed when the same proposal was made in the minority annex of the GAC report. In place of an agreement on a device which no one even knew how to make, agreement would now have to be made with regard to a device which one side knew how to make and the other, presumably, did not.

The question might well be asked if there is not a possibility that through a sequence of minor "tactical" or minimal decisions the Government might some day find itself occupying a new "strategic" position without ever having made the major choice to get there. The answer, in a word, is yes, and again the H-bomb decision provides an illustration. On February 24, 1950, scarcely three weeks after the President's decision, the Joint Chiefs of Staff submitted a memorandum to the President requesting "an all-out development of hydrogen bombs and means for their production and delivery." The Chiefs, Johnson reported, wanted to undertake quantity production of the H-bomb as soon as possible.

Once again, Truman summoned the special committee of the NSC with Sumner Pike now serving in place of Lilienthal, who had submitted his resignation in November, 1949, but had stayed on to see the H-bomb decision through. On March 1st, this committee recommended that, without prejudice to the State-Defense review which was still under way, the research program should proceed to a test stage as soon as possible and that preparations be made for the quantity production of the H-bomb without waiting for the results of the test. The President so ordered on March 10th, and construction began shortly thereafter on the Savannah River reactors.

So far as those who in the fall of 1949 had advocated an intensive H-bomb effort were concerned, the program instituted in the spring of 1950 represented all that they had ever had in mind. The AEC and the Department of Defense had no basic policy disagreements in the design of this program. Although initially skeptical of the military need for an all-out H-bomb program, Pike believed that if a determined effort was going to be made to make an H-bomb a parallel production program should accompany it. Having alerted the Russians to the fact that the United States was urgently trying to make the bomb, it was to be expected that the Russians would move fast themselves and the United States had therefore better do the same.

So far as the Department of Defense was concerned, the memo-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

randum of February 24th was designed to "button down" the decision of January 31st. What had to be decided *now* was the issue of production. Defense had no more interest than Pike in ending up in 1951 or 1952 with a handful of successful test devices and no plant with which to make the weapon. Neither did it want weapons without carriers, although in this respect the February memorandum was somewhat redundant since the January decision had also authorized the Air Force to undertake a carrier program. Unlike the Department of State, Defense had no interest in keeping the issues of production and use open. The orderly development of military plans and programs required a clear and early decision, not the flexibility and freedom sought by State. The February memorandum was, then, an invitation to State and the AEC to dispute now, if they wished, the decision to produce the H-bomb in quantity and to develop a capability to use it.

For the reasons noted, there was no dispute from the AEC. What of the Department of State and the idea that the decision to determine feasibility left open the decisions to test, to produce, and to use? There was no dispute from the Department of State either, despite the fact that the State-Defense review of strategic plans was not completed. Some of the State Department representatives have advanced the argument that a decision to produce the means for production was not yet a decision to produce the weapon, but this is to stretch words further than reality. A more accurate reading of the reasoning in the State Department would be that, while their responsibilities did not dispose them to push for quantity production, they saw no good reason for opposing it. In retrospect, it would seem that Lilienthal's sense of what was afoot on the 31st of January was not mistaken. The minimal decision permitted the Department of Defense to achieve its objectives in two bites and to take its possible opponents one at a time, and while the January decision might not have prejudiced the chances for an unfettered look at the H-bomb program, the March decision certainly did.

One cannot draw a straight line from January-March, 1950, to the present. The decisions here discussed are but two of the points from which one would have to plot the course of American policy from then to now. Whether the subsequent choices with regard to nuclear weapons policy were of the same order as those just described is, so far as the present writer is concerned, an unknown matter. Given, however, the propensity of the political

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

process for minimal decisions, it would be plausible to expect that they were.

The H-bomb decision is essentially a tragic story. The GAC was "right" in sensing that the development of the H-bomb would drive twentieth century man deeper into the box that he has been building for himself with his military technology, doctrine, foreign policy, and cultural ethos. The GAC was also "right" in asserting that it was a time to stop, look, and think. But the GAC was not alone in seeing the dimensions of the box. It was every bit as apparent to most of the advocates of the Super program. The trouble was that no one had any good ideas of how to get out of the box. Nor are they apparent today.

Basically, the H-bomb decision is a story of international rather than domestic politics. It affords a classic example of the traditional security dilemma. Both the Soviet Union and the United States would no doubt have preferred a world in which neither had the H-bomb. Each, however, wished to avoid a world in which the other had the H-bomb and it did not. Both rushed to make it, and they ended in a worse position than that in which they had begun.

WARNER R. SCHILLING

COLUMBIA UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LIBYA—NO LONGER "ARID NURSE OF LIONS"

IN the last two years, Libya has been in the headlines again as in the desert warfare days of World War II, but this time because of large oil finds throughout the country. When, aided by its own desires, but primarily at United Nations' behest, the United Kingdom of Libya sprang full-blown, if not full-armed, from the former Italian colony on Christmas Eve in 1951, it faced the future appearing to be one of the poorest countries of the world. It had a paucity of natural resources, insufficient income to support itself, a largely illiterate population, no preparation for statehood and pathetically few trained people to guide its new economic and governmental life. During the more than nine years of its national existence, Libya has taken amazing strides forward in economic and social development and in political maturity as a nation.

The picture of Libya as a poorly endowed country will have to be re-drawn now, for the oil finds of the last two years will change its future, if funds accruing from them are used in accordance with wise plans for the economic and social development of the country, if the eroded soil is irrigated so that the desert may blossom as the rose, if ingrained tradition and habits such as the methods of holding land and the attitude toward women are drastically changed, and if external events in a turbulent world, and an especially turbulent Africa, do not disturb the pattern.

Background of History

Libya has a location of dominating importance which has brought it invasions and occupations in the past, and strategic importance today. With the new Republics of Niger and Chad and a corner of the Sudan on its south, Egypt on its east, Algeria and Tunisia on its west, and Italy and Greece but short hops across the Mediterranean, Libya is of renewed importance today because of its geographic location.

Early settled by the Phoenicians, then by Greeks and Romans, later invaded by Vandals, then by Arabs who flooded over the country beginning in the seventh century after Christ and who

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

remained or invaded the country again, Libya was next ruled by the Turks for several hundred years. The country was then invaded by the Italians in 1911-1912 and occupied by them for more than thirty years until they were dislodged by the Montgomery campaign of the second World War. The Italians developed Libya only as an outlet for their own colonization, with no thought of giving the Libyans any preparation for independence, but they left behind them valuable physical assets, consisting of a long coastal highway, ports, a railroad and a number of buildings, many wells and irrigation schemes, and a number of large prosperous farms. Today Libya is still important strategically for other countries. The British have military bases there and the Americans a great air base located at Wheelus Field, just outside Tripoli, the largest city in the country.

Libya's independence came about more by accident than design; yet its coming was perhaps speeded by the passionate desire of the Libyans for freedom after their years of occupation and repression. After the Italians had been driven out, British military authorities took responsibility for governing the Libyan coastal areas and the French those of the southwest desert. Early in the post-war era, Britain, France, Italy and even the U.S.S.R., their eyes fixed on Libya's strategic importance, made conflicting bids for trusteeship over the country, or at least over Tripolitania. The United States preferred a trusteeship by the United Nations. Unable to decide among the various proposals, the United Nations through its Assembly voted in 1949 to grant the country complete independence "not later than January 1, 1952," and thus gave birth to the new United Kingdom of Libya. So great was the Libyan desire to achieve independence that the necessary constitutional arrangements were completed a few days ahead of schedule.

Apparent Lack of Resources

Horace had called Libya the "arid nurse of lions" [1] and though the lions long ago disappeared—many in Roman circuses—in many places the aridity still remains. In the country generally there is a parching lack of water except for a sparse rainfall and a few seasonal streams of *wadis* which disappear into the seemingly unending Sahara; a frequently extreme and difficult climate, with an occasional searing *ghibli* wind from the desert burning all in its path, and above all an eroded and impoverished

[1] Quoted and discussed in E. W. Bovill, *The Golden Trade of the Moors* (New York, 1958), p. 8. See also chapters 1, 2 and 3.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

soil caused by centuries of neglect. Hardest to combat are the lack of water and the deep erosion of the soil. Libya, furthermore, has no rich agricultural area save for its long, narrow, greenly fertile strip of coast, its hilly plateaus and its date-fringed desert oases. An airplane flight from Tripoli to Benghazi, the second largest city in the country, gives a clear idea of the greenness of parts of the coast in relation to the dryness of the desert background. From the air, the fruit trees, olive groves and date palms of the coast and even its wooded hills seem dwarfed by the encroaching and devouring Sahara which extends to the water's edge at the grim Gulf of Sirte and separates by some 300 miles of desolation the settled parts of the province of Tripolitania from those of the other important province, Cyrenaica, while far to the south in Sahara lies the third province, the Fezzan, entirely desert except for its flowering oases.

In this country, so lacking in water, the Greeks early developed a chain of colonies stretching along the northwest coast as far as Alexandria in Egypt and including great cities such as Cyrene and Apollonia. The Romans to the southwest later built the large cities of Leptis Magna and Sabratha and made of Libya the granary and one of the principal olive-growing areas of the Roman Empire. The coastal farms supported a population probably two to three times that of today. The reasons for the growth of the country in ancient times are not far to seek. Both the Greeks and Romans had developed methods of collecting water in cisterns, of transporting it by aqueducts, and of throwing dams across rivers to hold back and retain the flood waters of the brief period of rain each year. When the dams, cisterns and aqueducts were destroyed by neglect or by later Arab invasions, the desert stealthily crept in to bury the cities under the drifting sands. Now the superb ruins of Leptis Magna, Sabratha, Cyrene and Apollonia have been reclaimed in part and show what the Greeks and Romans were able to do with the limited water resources available; for geologists believe there was no more water in the country in Greek and Roman times than today. To build a city such as Leptis Magna, estimated to have had a population of 60,000, water supplies had to be carefully conserved and used. So well built were the Roman water works of the time that many of the cisterns are being reconstructed for use again today.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The People

Libya is not an overpopulated country. Its area is over half that of India yet its population is less than 1,300,000, and its rate of growth is probably low compared to most other countries of North Africa and the Middle East, doubtless because of its high infant mortality rate. The largest proportion of the Libyans, almost all Muslims, are nomads, semi-nomads or peasants of Arab or Berber stock, roaming the desert to graze their livestock or tilling the soil to grow their crops. However, there are various minority groups. These include Jews, Greeks and Maltese, but the largest such group is composed of Italians, of whom approximately 40,000 still live in Libya.

The Berbers, whose name comes from the Greek word for "barbarians" which referred to "foreigners" generally, are few in number today. Totalling some 40,000 to 50,000 they have kept a considerable degree of racial purity and are more apt to have lighter skin, hair and eyes than the Arabs. For the most part, the Berbers raise herds and livestock, though a number are found living in the towns and cities. They are adaptable and are reported to be more assimilated to the total culture of the country than the Berbers elsewhere in North Africa. The Arabs of Libya, however, are still largely nomadic tribesmen just beginning really settled farming.

Although there are various types of Muslims in Libya, including Sunni and Shii, there are especially large numbers of the scattered and strict Senoussi sect founded by the grandfather of the present king, Idris I, who had emigrated from Algeria to Cyrenaica in Libya. The strictness of the sect is one reason for the position of women in Libya. They are barely beginning to emerge from purdah and the veil, and few as yet have taken positions outside their own homes, even to carry on the needed occupations of nursing and teaching. Their position, however, is beginning to change gradually and the Libyan delegation to the United Nations Assembly of the autumn of 1960 included an able and energetic woman delegate.

The population of the country is heavily concentrated on the coast of the Mediterranean. Tripolitania, containing three-quarters of all the people of Libya, includes many Berbers and nearly all the Italians. Cyrenaica, which had bitterly resisted the Italian invasion and from which the Italian inhabitants had been evacuated by Mussolini during the war campaigns, is made up chiefly of nomadic Arabs with great tribal allegiance, differing widely from the more prosperous and urban Tripolitanians, and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

frequently jealous of them. In the desert province of the Fezzan, non-Arab Tuareg tribesmen have long ebbed and flowed back and forth across the borders of Algeria, but the majority of the people of the Fezzan are Arabs, some mixed with considerable Berber and some Negroid strains.[2]

Agriculture and the Land

Like other underdeveloped countries of the Middle East, with arid and eroded soil, vast expanses of desert, and a sparse water supply, Libya has been primarily a pastoral and secondarily an agricultural country. More than three-quarters of its people eke out a living by grazing their herds and flocks, receiving only about a quarter of the national income for their work. Some half of these farmers and agricultural workers are settled in the countryside, and a quarter follow their animals at least part of the year. In general there is a drift away from herds and farming toward the life and work of the towns, a tendency accelerated in Libya by the pull of governmental and oil company jobs. Even in the countryside, the nomadic or partly nomadic peoples are apparently tending to settle down more than formerly but their type of life has left a marked imprint on the culture and habits of Libya generally, and especially in regard to the pattern of land and water rights.

The green strip of coast, the hills and the oases of the desert provide the livelihood for those who are settled farmers. The semi-desert south of the hills gives grazing to animals and land to the people for growing crops. In addition to dates and wheat, barley provides the staple crop of Libya and the main food for the poor agricultural workers.

The most important sections are in the great Barce plan of Cyrenaica and parts of the Jefare plain of Tripolitania. These areas had been preëmpted by the Italians for the large colonization schemes which they began about 1930. When the Italians were forced to withdraw, they left over 4,000 farms, well-stocked and well-run, and with many acres of oranges, lemons and olives.

Under the Italians there were many large commercial farms. Some of them are now in Libyan hands, others remain in Italian possession even today and some are silent and unoccupied. On these large farms are now grown, by modern methods and with new farm machinery, castor seeds, lemons, oranges, tomatoes,

[2] For discussion of the peoples of Libya, see Nevill Barbour, editor, *A Survey of Northwest Africa (the Maghrib)*, (New York, 1959), especially pp. 345-7.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

olives and peanuts—the last known in Libya only since World War II, but now the largest export of the country. The millions of still-flourishing olive trees for the most part planted under the Italian occupation, and the excellent dry-farming in general, make for profitable agriculture.

Some Italians still run small family farms, but these are now largely owned by Libyans. Some of the small farms are successful but others, lacking fertilizer, machinery and enough modern farming aids, are run on a crop-sharing basis or under a system of tribal ownership. These small farmers are largely unorganized, have difficulty in securing credit, and must pay the high rates of interest common to underdeveloped countries where capital is lacking. Thus the mass of Libyan farmers and shepherds still continue to be poverty-stricken while others in the economy, especially in trade, are rising in the economic scale.

At the request of the Government, Libya was visited in 1958-1959 by a World Bank Mission. Its task was to report and make recommendations on the country's economic conditions and prospects. It was told by many Libyan and foreign experts that tribal ownership of land and water rights was "the biggest single obstacle to the development of agriculture and forestry in Cyrenaica as well as in parts of Tripolitania and that until the system was changed there was little hope of real progress."[3] Under that system, different members of a tribe graze their animals on the same piece of land and cut their wood from it. An individual of the tribe may cultivate part of that land for his own use, but he is not allowed to sell or mortgage it for credit, and may be asked by the head of the tribe to vacate it. So he has no incentive to do anything but exploit the land to the fullest extent, to allow his goats to eat the shoots of young trees, to cut down the wood as he wishes and to do nothing to replenish the unfertilized soil.

Lack of Trained People

Libya might well provide the handwriting on the wall for colonial powers who fail to educate their wards or train them for future independence. The Italians, despite the vast amount of money they poured into Libya and the excellent physical resources they developed there,[4] did little or nothing to prepare

[3] *The Economic Development of Libya,* Report of a Mission Organized by the International Bank for Reconstruction and Development (Baltimore, 1960), p. 9.

[4] Estimated at 1.8 billion pre-war Italian lire, equivalent to 150 million pre-war dollars at pre-war rates of exchange. *Ibid.,* p. 27.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the Libyan people for self-government. Starting its national life with a population over 90 per cent illiterate, with only some sixteen university graduates, and with few if any native doctors, teachers or other technically trained people, Libya has accomplished wonders in education during its short national life. But professional and technical education takes time, and it is inevitable that there are not yet enough specialists to fill the crying economic, social and governmental needs. The situation perforce exists in which foreign judges serve on the Libyan Supreme Court and many other foreigners occupy important official positions in the Libyan federal and provincial governments and economic institutions. Even United Nations Technical Assistance experts have had to take on administrative duties within the Libyan government instead of being confined to the advisory capacity in which they were sent to Libya.

This same technique may well be adopted in various countries emerging from colonial regimes when they also have sufficient trained native technical personnel to carry on the work. A danger will always exist in such circumstances that a new country, understandably anxious to be on its own, will think that technical education can be hastened and its preparation shortened.

The constitution calls for free compulsory elementary school education and already about 60 to 70 per cent of all children from six to twelve are in school. Libya has concentrated on elementary education so that it has managed to staff its schools at that level with native teachers. But it does not yet have enough Libyan teachers for the secondary schools or the rapidly growing university established in 1955. The result of the teacher shortage, made especially severe by the slow emergence of women, is that some 90 per cent of the instructors of Libya are foreigners, chiefly Egyptians.[5] The presence of so many foreign teachers is very unfortunate in a developing country since it subjects adolescents to a variety of unsettling pressures, especially political.

Foreign Aid

In addition to its lack of natural resources and of trained people, the young country has had an insufficient national income and so has had to lean heavily on foreign aid, distasteful as this has been to the proud and independent Libyans. The United Nations, in part because Libya is its own offspring, has spared no pains to assist the growing child. By 1960 it had given con-

[5] Like Egypt before it, the United Arab Republic is making substantial contributions toward the salaries of Egyptian teachers in Libya.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tinuing technical help to the amount of nearly $55 million. It also has maintained one of its largest technical assistance missions in Libya [6] while various of its member countries have given special aid. Britain and the United States have made the largest contributions to keep the Libyan economy afloat. Between 1952 and 1959-60, Britain supplied approximately $80.4 million for economic development and help to the Libyan budget; in the same period the United States provided aid in various forms amounting to $116.8 million, most of it allocated for specific projects rather than general budgetary support.

The American air base at Wheelus Field near Tripoli and its relation to foreign aid have come to be of considerable political importance in Libyan-American relations. When on September 9, 1954, a joint agreement gave the United States the right to an air base, a separate exchange of letters was concluded. Under this arrangement the United States agreed to an initial allocation of $7 million for the first fiscal year,[7] together with 24,000 tons of grain, and for grants of $4 million yearly thereafter until 1960, and $1 million annually for the following eleven years. Beginning in 1960, however, the amount was increased to $10 million each year for the next five years. Actual assistance from the United States has substantially exceeded the amounts originally specified.

The Libyan-American base agreement indicates that payment for the base should be considered separately from any money given Libya for foreign aid. Many Libyans and others, however, believe that not only these specific payments but all American and British funds made available to Libya should be regarded as money paid for important services rendered by the Libyan government in providing important military facilities, including buildings, airports, roads, and so on—an argument not without some logic if all the American and British motives for aid are taken into account.

The organizations set up to carry out the programs for foreign aid and planning for the Libyan future were a nightmare of alphabetical symbols. The Libyan Public Development and Sta-

[6] Libya has also had considerable help from the International Labor Organization, Food and Agriculture Organization, UNESCO, World Health Organization and World Meteorological Organization. The United Nations has also made two valuable economic surveys of Libya, *A General Economic Appraisal of Libya,* UN Technical Assistance Administration, New York, 1952, and *The Economic and Social Development of Libya,* New York, 1953.

[7] Ending June 30, 1955.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

bilization Agency (LPDSA) was set up in 1952 as an organization of the Libyan government to carry out programs for the use of the funds for economic and social development received from Britain,[8] with minor contributions from other countries. The Libyan-American Reconstruction Commission (LARC) was established in 1955 as a similar agency to work out over-all programs for the uses of United States funds. It was later confined to projects for public utilities and transportation. The size of the American program was so great as to cause the creation, also in 1955, of the Libyan-American Joint Services (LAJS) to assist LARC by carrying out activities in agriculture, water resources, public health and education. These agencies are now in process of dissolution because of the subsequent organization of the Development Council.[9] The American program of technical assistance has been carried out directly by the United States Operations Mission to Libya (USOM), the United States government's foreign aid agency. Last but not least in importance has been the United Nations program of technical assistance organized through its various specialized agencies but coördinated by the United Nations Technical Assistance Mission to Libya.

With so many agencies working in the field, it is small wonder that the International Bank for Reconstruction and Development reported in its survey of Libya that "perhaps the most serious shortcoming of foreign aid in Libya from the economic point of view has been the poor coördination between the work of the different foreign aid agencies and the failure to integrate this work into a properly thought-out program for the development of Libya's resources as a whole." [10]

The Government

Libya has a parliamentary monarchy, thanks in part to British influence at the time the government was being formed. So great were the differences in people and background among the three provinces that many thought it would be impossible to create a reasonably unified country or perhaps even any central government. That the provinces have remained together is due to the wide provincial autonomy allowed by the Libyan federal system, to the strong will of the people for independence and,

[8] In April, 1958, Britain ceased to contribute directly to development funds and concentrated on budgetary support.

[9] See below, pp. 63-65.

[10] *The Economic Development of Libya, op cit.*, p. 57.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

most of all, to the personality and wisdom of the king, Idris I.

The federal system of Libya, with four different sets of government, is so complicated and expensive for a country with less than 1,300,000 inhabitants that its real justification lies only in its forming a kind of cement to keep the provinces from falling apart. The difficulties of this kind of federalism are seen in a clause in the constitution which, attempting to reconcile the conflicting claims of Tripolitania and Cyrenaica, calls for two capitals, Tripoli and Benghazi, some 678 miles apart. Every two years the government and diplomatic corps must move from one to the other across the seemingly endless miles of desert. In the summer the offices and people move once more, for a third administrative center of the Libyan government, Beida, is being completed high in the green mountains of Cyrenaica near Benghazi to avoid the searing heat below and not to favor Benghazi over Tripoli. The moving diplomats, like other foreigners in Libya, must have their passports checked to pass from one province to the other. One set of customs duties and restrictions, furthermore, applies in Cyrenaica and another in Tripolitania, and duties have been imposed on goods moving from one province to the other.

While legislative and executive powers are carried out by the federal government in such obvious matters as foreign affairs and defense [11] there is a twilight zone in which the federal government constitutionally has the legislative power, but the executive power to carry out the legislation rests with the provinces "acting under the supervision of the federal government." [12] Numerous important matters such as shipping, civil aviation, control of banking, and mining and prospecting—including the search and location of oil—come under this dual jurisdiction. In no country is there anything but a fluid line between making and carrying out policy, and in a young country, where patterns of responsibility have not yet been clearly drawn and where there are great differences among provinces, the different governments are bound to struggle with each other over the lines of control.

Libya has already shown considerable political maturity in electing its federal legislative body. In January and March, 1960, for the third time since independence, men went to the polls—women do not yet have the vote—to vote for the 55 members of

[11] Article 38, subject to the proviso in Article 37 that executive power may be delegated to a province in certain circumstances.

[12] Article 38, which lists twenty-seven subjects coming under this arrangement.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the House of Representatives and for the six Senators to be elected.[13] In this year's elections as in the preceding one, each candidate ran on his own merits. Political parties have been prohibited by action of the King since the disorders in Tripolitania after the first elections which were held immediately after independence.

The 1960 elections were held with comparatively minor disturbance, though in them for the first time voting was directly for the candidate themselves. In the two preceding elections, the tribal groups had elected their representatives who, in turn, voted for the candidates in all but the largest cities where the voting had been direct. In a country with strong tribal allegiances, it was inevitable that tribal influence should persist even in the recent elections, but observers on the spot think that direct voting was a considerable success. Perhaps a quarter of those elected to the House won their seats because of real popular support rather than because of tribal or other influence alone.

The line between legitimate action by King Idris I and that of the legislative body is being drawn by a trial and error method. It is said that the King's frequent insistence on legislation by royal decree instead of action by the legislature has caused the resignation of at least three Prime Ministers, Mahmud el Muntasser in 1954, Mohammed Sakseli a few weeks later, and Mustapha ben Halim in 1957; but many observers believe that occasionally a sovereign must act directly in a new and undeveloped country when the legislative body is still comparatively inexperienced and immature.[14]

Few will deny that Libya owes much of its cohesion to the King. He has shown extraordinary ability, a good grasp of political and economic matters and is serving his country wisely and well. As leader of the Senoussi clan of Cyrenaica, he is also the spiritual head of the Senoussi sect of Muslims. Deeply religious, in many ways he would like the life of a recluse in his native Tobruk which he loves so well and where he lives as much as possible. In addition, however, he has always been a practical politician. He played a most important part in the struggle to

[13] Of the 55 members of the House, 35 are elected from Tripoli, 15 from Cyrenaica, and 5 from the Fezzan. The Senate has 24 members of whom 8 come from each province. Of each of these 8, half are appointed by the King and half elected by the Provincial Legislative Assembly. Before the March Senatorial elections, half of all the Senators elected and half those appointed were selected by lot to be dropped and so 6 were elected and 6 appointed by the King.

[14] *A Survey of Northwest Africa*, p. 357.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

oust the Italians. From the days of World War II he has been a faithful ally of Britain and the United States, so that he has proved one of the strongest ties binding Libya to the West. Within his own country he has never been reluctant to take action when he considers it necessary but he has generally followed a policy of watchful waiting and has allowed conflicting groups of his countrymen to work out problems for themselves.

Last year the King reached his seventieth birthday and so the question of succession to the throne is important. The legal heir is the King's nephew, Crown Prince Hassan el Rida, now aged thirty-three. Though reticent and interested in the contemplative life, always part of the Senoussi tradition, he is showing a serious interest in the government and problems of his country.

Foreign Affairs

The history of Libya since World War II has tied its government to the West by belief and necessity. There appears, however, to be some increasing reluctance among its people to be caught in the struggle between the United States and the U.S.S.R. for influence in Africa, illustrated last November by the abstention of Libya in the vote in the United Nations Assemby to seat President Kasavubu of the Congo.

Thus far, however, Libya has shown no real leaning toward the U.S.S.R. and has steadfastly declined offers of Russian aid or loans. Now, however, the Libyan government is considering the acceptance of two Russian hospitals. There are some among the Libyans who ask why their country should not follow its neighbor Egypt's example and take first with the right and then the left hand. Neither the U.S.S.R. nor China, busy for the moment elsewhere in Africa, appears to be carrying on propaganda directly in Libya today. Nor has there been any serious interest among the mass of the Libyan people in either communism or developments in the U.S.S.R., though the Congo situation aroused some interest in communist actions. The lack of interest together with the King's prohibition of political parties has prevented the growth of organized Communist party activity in Libya.

Although events in the Congo have inevitably involved Libya in the problems of the Africa lying to the south, the closest Libyan ties are clearly to the other North African countries. The cause of neighboring Algeria has become a burning issue to many Libyans who see in it a repetition of their own long period of hated colonial rule. Annexed to the Libyan treaty

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of friendship with Tunisia as far back as 1957 was a joint declaration calling for independence for Algeria. Sympathy for that independence has become stronger with the passage of time and has been strengthened by Libyan opposition to the French atomic bomb tests in the Sahara.

The impact of Egypt is not due to geography alone. There is general admiration of President Nasser, and interest in him and his activities has been stimulated by the large numbers of Egyptian teachers and technicians employed in Libya. That interest is found especially among the youth and in the urban centers of Tripolitania. There President Nasser's picture is on sale throughout the *souks,* like that of King Idris. In the cities, too, Radio Cairo is listened to avidly. In the fall of 1960, the newspapers carried long dispatches about President Nasser's speeches and about Egypt's neutralist position at the United Nations.

Libya has been a member of the Arab League since 1953. The idea of a united Arab republic has much more emotional appeal than that of a North African federation alone but there is little or no interest in the practical possibility of joining Egypt and Syria in the present United Arab Republic. Like other Arab countries, there is considerable anti-Israel sentiment and Libyan policy in this respect is officially like that of other Arab countries. Permits are reported to have been refused applicants for oil concessions because of their activities in Israel.[15] But among the Libyan people as a whole that country is too remote for the issue to be really vital.

Oil

To free itself from dependence on foreign bounty, Libya looks primarily to its oil. Its discovery and development make an interesting story. Before the war, French and Italian investigators saw no hope of finding oil in any quantity. After independence had been attained, however, the country became desirous of attracting foreign oil companies, although without surrendering what might, and did, turn out to be a rich patrimony. Beginning in 1954, nine oil companies (six American, one British, one French and one Anglo-Dutch) were granted permission to explore the Libyan Sahara. At the same time, by minerals legislation in 1953 and by its petroleum law of 1955, the country safeguarded its rights.

In 1958, the arid wastes of the Sahara began to yield the first

[15] *Petroleum Development in Libya, 1954 through 1958,* published by the Petroleum Commission, Libyan Government Press.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of their Libyan oil. Within two more years, Libya had been more actively explored than any other country in so short a time.[16] Nearly twenty companies from various countries were at work. Almost two-thirds of the country had been blanketed by concessions, extending even offshore into the Mediterranean. The Libyan oil map had come to look like a gerrymandered American state. All the companies were working under the difficult conditions of the Libyan Sahara, where in addition to the heat and lack of water common to desert drilling, there are still some two million live land mines left over from the Montgomery-Rommel campaigns. These mines must be located and removed before exploration, drilling and other activities can proceed.

Fifty-seven productive wells have been drilled thus far in the various concessions and all give oil of high quality, some of high quantity, and at reasonable depths. The largest and most promising strike was made in June, 1959, when Esso Standard (Libya) completed the second of two wells of high production[17] in the desert of Cyrenaica at Zelten. Esso's find is to the east of a productive Mobiloil concession.

Oil men are famous for their optimism but the more sober-minded ones believe it is too soon to predict astronomical yields of Libyan oil. Only two finds besides Zelten, those of the Oasis Company at Dahra and Amoseas near Beida, have yielded enough to date to promise prompt commercial profits. Nor do any of the discoveries yet made compare in size with the great Middle East or Venezuelan fields.

There is, however, such confidence in the amount and quality of Libyan oil that the competing oil companies have not only eagerly accepted the terms of concessions granted them under the Petroleum Law of 1955[18] but in some cases recently have agreed to give more than the law requires of them. According to the law, the country is divided into two zones on the coast and two inland, and the number and size of concessions which may be given any one company in each zone are carefully limited. Exploration permits and concessions are granted at the discretion of the government but in no case may they be given without the payment of various rental charges and fees, and a royalty of twelve and one-half per cent on the value of all oil produced

[16] "Libya: The Desert Blooms," *Petroleum Engineer*, December 1959, p. E5.

[17] 17,500 and 15,000 barrels a day.

[18] *The Libyan Petroleum Law and Regulations Issued Thereunder* (Tripoli, 1959).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and saved. The 50-50 division of profits [19] common to most Middle Eastern contracts is included.

With an eye on nearby Europe as the fastest-growing market in the world, concessionaires with outlets in Europe have been especially encouraged. All the international companies are working in Libya, and a number of Italian and German firms and American independents are represented. Competition for new concessions has become so great that after eighty had been granted, some companies began to agree to more than the legal requirements by waiving their depletion allowances, by increasing percentages of royalties and by offering other incentives. First to be affected was the 25 per cent depletion allowance which British Petroleum dropped for two new concessions given them in September, 1959, and then gave up retroactively for the six concessions it had obtained earlier. It was followed in this by the two Italian newcomers to the Libyan oil scene, CORI (*Compagnia Richerche Idrocarburi*) a subsidiary of the Italian government oil copmany, ENI (*Ente Nazionale Idrocarburi*), and by AMI (*Ausonia Mineraria Italiana*), a subsidiary of Milan Edison, Italy's largest privately owned power company.

Relinquishing the depletion allowance is only a part of the price the Italians paid to be allowed to re-enter large business ventures in Libya. ENI, which in Iran first began to offer larger percentages than those of the old-line companies, carried the matter further in Libya. CORI agreed in November, 1959, to the 50-50 division of profits, but raised royalty payments from twelve and one-half to 17 per cent and added something new by offering to the Libyan government a 30 per cent partnership in any discoveries made. Ausonia in March, 1960, agreed to the same increase in royalty but in place of the partnership idea substituted the construction of a petrochemical plant, so greatly needed in Libya, and guaranteed to buy 10,000 barrels of Libyan oil a day for ten years whether or not it finds any oil of its own.

To the end that no company may obtain a stranglehold, the law requires a quarter of each concession to be given back to the Libyan government at the end of five years, a second quarter by the end of eight, and a further reduction at the end of ten to a third or a quarter of the original size of the concession, depending on its location. In all cases, the surrendered areas must be reasonably compact so they may again be offered for concession.

[19] Profits are defined as all income after deduction of expenses and losses, amortization and a depletion allowance of 25 per cent of gross profits. *Petroleum Law*, Clause 8 (2) (a).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There is nothing which prevents the same concessionaire from regaining the land he has given up, though the terms offered will doubtless influence what happens. Certainly if a concessionaire keeps the depletion allowance on his retained areas the possibility of being re-granted his surrendered lands might be affected.

The time has now come when the first territories must be turned back, and the various companies have been anxious to determine the most—and least—promising parts of their concessions before that time arrives.[20] So they are working at breakneck speed. In any case they are anxious to get Libyan oil to Europe, not only because shipment costs are materially less than from the Middle East or Venezuela, but because French oil from the Sahara is already reaching at least as far as France and cheap Russian oil has turned out to be more than a mere spectre in Europe.

In all countries, the hunt for oil is costly, with remote places for operation, long-distance transportation needs, expensive equipment and inevitable numbers of dry holes without oil. The Libyan search is even more expensive than usual because of the formidable obstacles of the Libyan desert, the intensity of competition for the oil, the international oil situation (especially concerning prices) and above all, because of the haste of the oil companies to find out quickly just what lies in their concessions before they have to surrender any part of them. Total expenditures by all the companies engaged in Libya were estimated to rise from $98 million in 1959 to $154 million in 1960,[21] a total which many oilmen consider unjustified by the rewards obtained.

Even when discovered, oil cannot begin to flow to market until pipelines and pumping stations are built, power supplied, shipping terminals established and facilities provided for workers. Two pipelines have been planned and their location definitely decided. Esso is at work on what has been described as "one of the biggest peacetime operations in the open sea" [22] ever to have

[20] On or before January 1, 1961, 37 concessions were affected. As of that date there were some 34 drill rigs at work in Libya but the number will doubtless be reduced following the surrender of chosen areas.

[21] *Petroleum Development in Libya—1954 through Mid-1960,* quoted in *Petroleum Press Service,* November 1960. See also "Accelerating Pace in Libya," *ibid.,* June 1960, p. 199, where the estimate of spending is given at the rate of £ 60 million ($168 million) a year.

[22] *Ibid.,* August 1960, p. 258.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

been undertaken, for it is floating ashore two-ton, temporarily sealed sections of pipelines, eventually to be used to carry oil to the terminal being built by Esso at Marsa el Brega on the Cyrenaican coast, some 100 miles from Zelten.

Libyan oil production in quantity will probably begin in 1962 or 1963, though Esso hopes to start this year. The Libyan government, however, cannot receive substantial funds from oil much before 1965, as the first few years' profit on the oil companies will be reduced by absorbing the heavy exploration and development costs incurred prior to production.

Changing Pattern of Employment

The large oil expenditures in Libya, when added to those of other foreign interests, especially the British and American bases and their personnel, are proving a spur to the Libyan economy but have also brought difficulties in their wake. There are dangers that a comparatively small number of Libyans are getting rich while the mass of the people still remain poor. There have been rises in wages, rents, costs of food and building and a boom in trade, the service industries and hotel accommodations, especially in Tripoli, though there has been no shortage of most goods. Skilled workers are in such short supply that truck drivers and stenographers knowing English can command almost any wage desired, though in recent months there has been some stabilization of wage levels for workers with particular skills.

Foreign interests are employing over 20,000 Libyans. The oil companies alone keep some 7,500 at work and give greatly-needed technical training. This employment, however, together with the boom in the service trades and in industry has brought some dislocation with it. Shepherds and tillers of the soil have begun to drift to the cities, and more and more people are deserting their old jobs for what they hope will be more lucrative employment. If it does not materialize—as it cannot if the number of seekers becomes too great—they will be left with a dangerous sense of frustration. Shanty towns are rising on the edges of Benghazi and Tripoli because of lack of other housing for the new urban dwellers, and land in the country is going out of much-needed cultivation as the workers desert the soil. And in Libya when cultivation ceases, the desert moves in.

The Development Council

In any country suddenly discovering riches, a struggle inevitably develops between those who want to squander their patri-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

mony, using it for immediate needs and private gain, and those who believe their great new wealth should be used for the development of their country. In Libya the complexities of the struggle were increased by the federal system and the desire of the provinces to retain as much of the prospective oil revenue as possible. Yet Libya was wise in enacting its Petroleum Law of 1955 early in the search for oil, for by this action it protected its just interests and at the same time encouraged foreign companies to start the hunt and development of whatever resources would be found. Soon after the enactment of the law, it was decided to assign to Libyan economic and social development 70 per cent of whatever oil revenues there might be, with the remaining 30 per cent divided equally between the central government and the province where oil was discovered, to use as each saw fit.

Many people thought it premature to plan for the use of oil revenues before there were any, and so when a Development Council was established in 1956, it was given no authorization to plan, receive or spend funds, or to carry out any projects. Since the Council was insufficiently staffed and purely advisory to the organizations set up to plan the expenditure of foreign aid funds, its functions were minimal. The need for reorganization was apparent, but only after long discussion was a law enacted in May, 1960, establishing a new Development Council and making it responsible for funds and all other matters pertaining to foreign aid. Under this arrangement the Development Council is allocated 70 per cent of the revenue from oil royalties. The Council, furthermore, is empowered to draw up a long-range economic and social development program, but to execute it, after approval by Parliament, only through the various federal ministries and the provincial governments. The same law established the basis for ending the Libyan American Reconstruction Commission, the Libyan American Joint Services and the Libyan Public Development and Stabilization Agency as no longer necessary.

Even though it is too early to make any but general comments on the Council itself, it will doubtless be a powerful body. Its Chairman will be one of the most important Libyan officials, not only because of the power he will wield for the future, especially financially, but by reason of his relation to the provincial and the central governments. The Prime Minister had been proposed as Chairman but after prolonged discussions it was decided to give the position to the Under-Secretary of the Ministry of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Finance, Dr. Abdurrasig Shagloof, who had originally been Chairman of the old Development Council and of LPSDA and LARC as well, both of the last two positions of great importance. Working with him in his new capacity are one additional representative of the federal government and one each from the three provinces, so the weight of the provincial power in the work of the Council will be great—too great in the view of those who believe that the Libyan government is already too heavily balanced on the side of provincial authority.

The Future

In facing the future, Libya has certain important assets. With no over-population to make it run twice as fast just to stay in the same place, Libya is also blessed with a people who are proud and determined to succeed, and who have shown a willingness to learn from some of the mistakes of others.

Libya's status as a poor relation relying for much of its support on its friends and relatives is changing. Even before the oil discoveries of the last two years, changes had begun but their pace has been vastly accelerated by the possibilities of the new wealth. Those changes that are good can be pushed further if the money from the oil discoveries is wisely used for the benefit of the whole people and not for private gain only.

Economic and social changes have come in many directions. Many Libyans are now earning vastly increased wages and salaries, and are beginning to make new demands for fulfillment of their new needs in food, housing and the good things of life generally. A new middle class has developed and the country is no longer constituted exclusively of a few very rich and a vast number of very poor, though the majority of the people are still poverty-stricken. People are flocking to the cities in such numbers, to seek employment or join their families, that a new urban-rural balance is developing; there are problems of city overcrowding and all it connotes; and land cultivation is declining in some places, especially the Fezzan. The most important positive change is the startling growth of education. Beginning with a literacy figure of less than 10 per cent, Libya has made phenomenal strides toward its goal of universal elementary education; secondary and even university education is growing notably, while much-needed technical schooling has been begun.

As in other underdeveloped countries where new sources of wealth have been discovered, change has brought dislocations

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

in its wake. Shepherds, farmers and agricultural workers generally have benefited little from the money coming into the country. Only a minority of the people have become prosperous from the new wealth, and there is inevitable discontent as word of its vast size spreads. There is a strong contrast between those people who are still tradition-bound and those who are keeping pace with their changing world in both actions and attitudes. An illustration is found in the position of women which ranges from that of the woman forbidden to leave her house to that of the modern educated woman. As yet, there are all too few of the latter but the signs of change have already appeared. Manual labor is frowned upon and the zeal for education is such that there is danger that the experience of Iran, India and the south of Italy may repeat itself in Libya. More people may be educated for white collar jobs than can ever find them, with the inevitable result of frustration, unemployment and underemployment, along with a shortage of artisans, mechanics and skilled workers.

Too many people regard oil as the only economic salvation for Libya. Unless there is a realistic attitude toward what oil can —and cannot—do, still more frustration will develop. The oil industry cannot provide jobs for everyone, as it is capital- and not labor-intensive. It has relatively few needs for unskilled workers and cannot employ directly more than a small portion of the whole labor force of the country.[23] Nor can oil induce a large program of heavy industry of which some people dream.

One immediate use for the economic wealth from oil will be to develop those types of light industry which do not require great technical knowledge for their operation, will meet Libya's special requirements and will create employment. For example, petrochemical plants such as that promised by the Ausonia Company of Italy, although requiring considerable skill in the workers, use oil as a raw material and are necessary to produce fertilizer, so urgently needed to rehabilitate the worn soil of Libya.

An important use for oil revenues will be to train further teachers, technicians and professional personnel, and to see that they receive adequate salaries. While the oil companies have training programs for their own personnel, and the courses of the University of Libya and the teacher training institutes of

[23] *The Economic Development of Libya, op. cit.*, p. 62, states that not more than some 5 per cent of the whole labor force of the country can be directly employed by the oil industry.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the country are being expanded, the education of enough native Libyans to fulfill these specialized demands will take time. Meanwhile there is nothing to do but continue the employment of a good-sized number of foreigners in important governmental, teaching and industrial posts.

The most important problem ahead is to see that the money from the oil industry is used to help develop a well-balanced economy for the country as a whole. Much will depend on how the work of the Development Council progresses and whether it can keep the struggle for power between the central governments and the provinces from dominating its activities to the exclusion of the possibility of using the oil revenues in the way best for the future of Libya. As in other underdeveloped countries with oil riches, the crux of the development will lie in the wisdom with which the Council reaches the delicate balance between the important long-range projects such as dams and irrigation works and those, such as education, health and welfare, which immediately benefit the people at large.

Agriculture will always remain basic to Libya's economy and the oil boom must not be allowed to obscure the needs of the land and its workers which are the country's greatest economic problem. There is enough water, despite its shortage, and enough suitable land to maintain a much larger farming population than now exists, at a better standard of living and with a much higher agricultural production. Water supplies need to be developed and utilized to the full, the desert pushed back by planting of trees, and the country made more productive by the use of more fertilizer, more mechanization of agriculture and the spread of more technical agricultural knowledge. Development of industries connected with the soil is an integral part of the picture in a land which can grow excellent fruits and vegetables. There is need for a land law giving individuals permanent rights before many nomads can be persuaded to take up a life of settled agriculture. One of the most urgent and difficult needs is that of securing not only the coöperation but the enthusiasm of the people in changing from the existing tribal ownership of land and water rights.

Libya has high and well-founded hopes for the development of the tourist industry. The great marble and sandstone ruins of the Roman cities of Leptis Magna and Sabratha rise from the beaches of the blue Mediterranean in Tripolitania and the Greek remains of Cyrene and Apollonia lie close to the equally blue waters off the coast of Cyrenaica. These are only the most

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

breathtaking of the many ruins to attract tourists to Libya, where—especially on the Barce Plain and the Gebel Akhdar (Green Mountains) of Cyrenaica—it seems that archaeologists have barely scratched the surface. Further than the eye can reach, the land is covered by untouched archaeological remains protruding among the spring flowers. Libyan beaches of soft sand can lure the less classically minded when there are beach hotels and other accommodations to look after the seeker of the sun. The same blue waters by which the ruined cities lie can also provide the fishery industry which has greater potentialities for development than the sponge and tuna now taken by a few Greek fishermen plying its waters.

One of the tragedies of a land suddenly coming into riches is that foreigners and even native sons are immediately on the scene ready for the kill. Libya has already its share of foreign carpet-baggers but is on the alert for them and has several times refused foreign exploiters the freedom to enter too obviously nefarious schemes. The Libyans are also on the watch for profiteering and dishonesty among their own people. This was shown by the fall of the Cabinet in October, 1960, when the people refused to accept the inordinate profit involved in the demands of the powerful Libyan SASCO company for treble the amount of money—already large—to be paid to complete the road through the desert wastes from Tripoli to Sebha in the Fezzan.[24]

As long as King Idris I lives, Libya's development will doubtless move steadfastly ahead. His heir is apparently following in his footsteps, but will need great balance and wisdom to steer Libya's able and independent people amid the shoals of underdevelopment and sudden riches, and to manage his own craft amid the sharks of the politically unscrupulous and ambitious who, like the brothers of Joseph in the Old Testament, would sell him into bondage to Egypt, if not elsewhere.

JANE PERRY CLARK CAREY
ANDREW GALBRAITH CAREY

NEW YORK, N. Y.

[24] For serious criticism of the expenditures on this road from its inception, see *Economic Development of Libya, op. cit.*, Annex XVIII, p. 491.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

RESEARCH: AN INSTRUMENT OF POLITICAL POWER

THE decisions of state and local governments often affect the citizen more deeply and more directly than those of the national government or of private enterprises. Yet relatively little is known of the process by which decisions are made by state and local authorities.[1] There is far from complete agreement even as to the people who take part in this process.[2] It is of course obvious that decision making is the same in many respects at all levels of authority. Yet further investigation might reveal significant differences between the process as it is carried on at the state and local levels and at the national level, if only because state and local agencies have at their disposal less complete and unbiased information on which to base their decisions.[3]

It is the purpose of this paper to contribute to this discussion by making a case study of one interest group in Pennsylvania, the Pennsylvania Economy League (PEL), that has come to wield great influence over the making of public policy instead of being only a research agency.

I

Essentially a taxpayers' association, the League enjoys a status and power that must surpass the fondest hopes of similar groups in other states. It manages to be handsomely financed by big business, respected by politicians in both parties, commended by the press and coöperated with by groups that might be considered natural enemies. It is able to perform this political miracle because it pursues its objective ("better government at less cost") by

[1] For an incisive summary of research in decision making see Peter Rossi, "Community Decision Making," *Administrative Science Quarterly*, vol. 1, March 1957, pp. 415–441.

[2] *Cf.* N. W. Polsby, "Three Problems in the Analysis of Community Power," *American Sociological Review*, vol. 24, December 1959, pp. 796–803; Floyd Hunter, *Community Power Structure* (Chapel Hill, 1953); William K. Muir, Jr., "Defending 'The Hill' Against Metal Houses," ICP Case Series, no. 26, (University, Alabama, 1958); C. R. Adrian, "A Study of Three Communities," *Public Administration Review*, vol. 18, no. 3, Summer 1958, pp. 208–213.

[3] Allan B. Richards, "Local Government Research: A Partial Evaluation," *Public Administration Review*, vol. 14, no. 4, Autumn 1954.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

making available to public officials competent "research and professional consultation."[4]

Apparently no problem is too small and none too great for the League's investigation and recommendation. Either by official request or on its own initiative, it has delved into matters as diverse as state tax policies, county sanitation authorities, municipal parking, county capital improvement programs and salary schedules. It has even made surveys of private and business associations. Its activities are limited only by the availability of funds and personnel. Its influence is felt by everyone, but its responsibility is to those who give financial support to its undertakings.

The Pennsylvania Economy League was established in 1932 and became a privately financed corporation in 1936. It claims to be the largest statewide governmental research organization in the country. The PEL operates in Pennsylvania through a number of offices divided administratively into three parts: (1) The State Office, located at the state capitol in Harrisburg, and concerned with general state policy, especially with administrative aspects of state government; (2) Regional offices located in Philadelphia (Eastern Division), Wilkes-Barre (Central Division) and Pittsburgh (Western Division), and concerned with the county and local affairs within their respective jurisdictions; (3) County Branches, established in over thirty of the state's most populous and wealthiest counties, dealing primarily with local government operations. Technically, each unit is an autonomous agency, but it is usually linked with the others by uniform objectives, joint financing and use of the same personnel.

Both in objectives and in methods the business orientation of the League is abundantly clear. Its goals are those of other taxpayers' associations: sound fiscal management; improved administrative methods; and the elimination of waste and extravagance in government. Rarely stated in the literature but implicit in the discussions and the acts of the League is another important aim: a re-distribution of the tax basis to the advantage of the membership of the League. These objectives are to be reached by "continual surveillance of governmental operations and programs at

[4] The term "research" is given many meanings and the Economy League may be a bit presumptuous in labeling the kind of studies it sponsors as "research." Yet, whether or not the League's efforts would satisfy standards set by scholars is secondary since the League considers what it does as "research," governmental bodies who solicit its services believe they are getting "research," and the press and public accept it as such. See Wilson Gee, *Social Science Research Methods* (New York, 1950), pp. 128 *et seq.*, and Richards, "Local Government Research," *loc. cit.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

all levels" through "techniques . . . used in successful private business."[5]

The League is financed by the key industrial and commercial enterprises in the state. As a non-profit, tax-exempt organization, it has an advantage over some other groups such as labor unions and chambers of commerce. In 1951 Beverly Smith estimated its annual income at $500,000. Given the expansion in staff and operations, as well as the general rise in costs, since that time, it is not unreasonable to conclude that over $1,000,000 is required today to keep the League going. Smith's statement that "the biggest contributions come from the largest taxpayers, which means the giant corporations" would also hold true for 1960.[6] In 1959–60 leading officers of many corporations were listed as board members.

This leadership at the state and divisional levels is strengthened at the county level by the presence of local representatives of big companies on governing boards. Thus a plant superintendent of United States Steel or a plant personnel manager of Alcoa may be on the governing board of a local unit of the League. However, county boards are not overwhelmingly composed of representatives of big business. Small manufacturers, merchants, real estate operators and professional people are so numerous in some places that the League competes for membership with local chambers of commerce. The League and the chambers of commerce hold similar views and draw support from some common sources, but relations between them, especially at the divisional level, are neither close nor constant.

The Pennsylvania Economy League claims that it is not a pressure organization but a non-political, non-partisan, fact-finding research agency. In its early years the newspapers usually identified the PEL as a business-supported research agency concerned with taxes; in the 1940's, the terms "non-partisan" and "fact-finding" began to creep into stories about the League; and finally in contemporary accounts we find the additional adjectives "non-political" and "non-profit" prefaced to the League's name. This gradual accretion of neutrality went parallel with the League's

[5] Practically all League publications stress the points of continual attention to state and local governments and the need for "business-like review" of government operations. As examples, see *The Pennsylvania Economy League* (Central Division, Wilkes-Barre, n.d.) and *A Quick Look at the Bureau of Municipal Research and Pennsylvania Economy League* (Eastern Division, Philadelphia, n.d.).

[6] Beverly Smith, "How to Houseclean a State," *Saturday Evening Post,* vol. 222, April 14, 1951, pp. 38–39.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

rise to key importance in the state's power structure. In fact, however, the Economy League appears to meet almost every test by which pressure groups are identified.

The PEL differs from other pressure groups, however, in the techniques it employs. It spends little time in buttonholing individuals or in campaigning for contributions. It does not play the rôle of ghost writer for business. It works chiefly by doing research, of all types and at any level of government, for whichever party requests its services.

Since the League is so well supported financially it is able to conduct research into almost every aspect of state and local government. Regional and county branches make regular surveys of state, county, municipal and school district finances.[7] Periodically they do detailed studies of specific aspects of local government such as tax collection, purchasing or comparative tax burdens. The results of these studies and surveys are distributed to the League members and to a limited number of public officials and research agencies. In this way, influential community members are kept informed.[8]

During the past five years the Eastern Division in Philadelphia published the results of over 75 investigations dealing with the problems of that city and of the four neighboring counties in southeastern Pennsylvania. The Central and Western Divisions have been equally active in the number and scope of their studies while the State Office has made management and budgetary recommendations at the state level. Many of these contributions were narrow managerial reports about matters like zoning or building code revisions, but a significant number dealt with broader matters such as the reorganization of the Philadelphia Controller's Office and the drafting of a personnel classification program for Allegheny County.

The League's services to governmental agencies are free, the only requirement being a written invitation and a clear defi-

[7] A recent editorial in the *Pittsburgh Post-Gazette* applauded the League as follows: "Although it is privately financed, the Economy League looks steadily and helpfully over the shoulders of public officials in this district. This watch dog agency, with its fine research facilities, provides an unofficial check on public finances." December 16, 1959.

[8] League publications are numerous but of no standard pattern except that almost all contain the words "Confidential" and "Not for Publication" on their covers. The purpose of these designations is hard to divine since access to publications is readily obtained, yet the titling lends a secretive, conspiratorial aspect to League activities which does not altogether harmonize with its "guardian of the public interest" image.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nition of the scope of the investigation. The League makes it a practice to operate without fanfare and to show great deference to public officials. "It works so quietly that the majority of citizens right in its own state have never heard of it," said Smith in 1951. The public is no more aware of League activities in 1961. It is meticulous in its public relations so as to avoid the appearance of interfering in local affairs. It studiously avoids action which might give it the label of a "muckraker" or reform group; for example, it will not conduct a study for a private organization that may seek to embarrass or smear an administration. And though the word "Economy" appears in its title, the League tries to escape the negative reputation so often applied to taxpayers associations.

In undertaking a special project, the PEL stipulates that its report will be made only to the contracting agency which will then have the sole responsibility for making the findings public. As another way of securing the coöperation of officials, the League usually refrains from condemning individuals. In most cases, therefore, especially where narrow managerial functions are in question, the League's recommendations are accepted intact and without controversy. It is seen that they have been reached objectively and on the basis of the best available evidence. There may be a question about the League's objectivity in the areas of taxation, appropriations and personnel.[9] Yet the reputation established by high quality work in such matters as managerial studies carries over to these other areas in which there is more room for controversy and where decisions are largely matters of policy. In all areas, after all, getting the facts upon which to make devisions is extremely important. Whoever is in a position to supply these facts is in a key rôle.

In the minds of most citizens, and of many politicians, the League is just an impartial research organization: "when the League has put its imprimatur on a budget or some public project, the taxpayer feels that he has an impartial and com-

[9] The only major groups which have quarreled, publicly and frequently, with League findings are the teachers associations. As early as 1939 the Western Division was accused of "double crossing" by the Pittsburgh Board of Education. *Pittsburgh Press,* November 22, 1939. In 1943 and 1944, League recommendations of public school salaries in Pennsylvania were attacked by school teachers. *Pittsburgh Press,* May 5, 1943; August 3, 1944; November 10, 1954. In 1959, the League recommended the creation of a "management advisory committee," with the League as a member to "reduce non-instructional costs." *Pittsburgh Sun-Telegraph,* May 17, 1959.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

petent judgment on the proposal."[10] Acceptance of League proposals is made especially desirable, or even necessary, when they are given almost universal newspaper support.

The impact of League research is made greater by the constant use of follow-up techniques. In fact, this is a major reason for PEL success. From its thirty bases in Pennsylvania's wealthiest and most populous counties, the League can muster an impressive array of economic and professional leaders to its support. The prestige and power of the men who sit on its boards add strength to the recommendations of its researchers. The members of its boards are not only community leaders but often personal and political friends of government officials. Their prestige can sometimes lead to acceptance of League recommendations even over the objections of those who will be affected most by the recommendations.[11] More often, no pressure is necessary because there has developed an informal, but close and effective, relationship between the League's staff and government officials. In such cases decisions of community policy may be made without any clear indication of who has made them. The Western Division summed up the transition from watch-dog to confidant as follows:

> The traditional pattern of the League's operations has been the study and report rendered a distinct unit of government . . . the better understanding that comes with time has very often made our work less formal; there are more consultations and fewer documents, but the League's advisory work with the local officers continues and increases.[12]

The follow-up process employed by the League is used at all levels and in all hierarchies within the Commonwealth. It illustrates the advantages that accrue from common objectives and a permanency of operation:

> We are in no danger of developing a split personality. On the contrary, it is fortunate that our structure permits a sense of detachment from any special interest or partisanship, and makes us equally at home at the State Capitol at Harrisburg or in hundreds of municipal buildings and courthouses throughout the State.[13]

In this quotation the words, "at home," can be interpreted

[10] *Pittsburgh Post-Gazette,* December 16, 1959.

[11] The PEL drafted and Allegheny County Commissioners enacted a new personnel program which "has stirred up some resentment in labor circles and caused confusion among the ranks of the County's 7,000 employees." *Pittsburgh Press,* September 9, 1959.

[12] *PEL Newsletter* (Western Division, Pittsburgh), vol. 22, January-February 1956.

[13] *Pledge Against the Future* (State Office, Harrisburg, 1954), p. 3.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

literally because "the League has furnished from time to time men from its own staff for important public assignments."[14] Two recent instances of lend-lease occurred in 1959 when Dr. David Kurtzman, long-time Research Director of the Western Division, was appointed Secretary of Administration in Governor Lawrence's cabinet. Earlier in the year, David M. Baldwin, another long-term League employee, had been appointed Budget Secretary for the Commonwealth. Neither Kurtzman nor Baldwin has severed his League connection and both are listed as being on leave of absence.

The same pattern of relationships appears at the regional and county levels. For example, Lennox L. Moak, Director of the Eastern Branch, served as Finance Director for the City of Philadelphia during the first two years of Mayor Joseph S. Clark's administration. Another example was that of Milton Lavine who was brought to the Western Division at Pittsburgh to direct a personnel study for Allegheny County. The commissioners adopted Lavine's plan without change and two weeks later installed him as head of the agency created to carry it out.[15]

The League, therefore, is able to work both from the outside and from the inside. Informal ties are strengthened by the periodic employment of League personnel in public posts. A case in point, a reversal of the usual practice but illustrative of the potential of the inside approach, is the appointment of Howard B. Stewart as Director of the Western Division of PEL. Stewart, a protégé of Governor Lawrence, had been Democratic County Commissioner in Allegheny County. He turned down his party's offer of renomination (tantamount to re-election to a $19,500 post, chairmanship of the Board and supervision of 7,000 employees) to accept the League position. It is not unreasonable to suppose that he has ready access to and a good deal of influence on key county officials, many of whom, including Lavine, were appointed to office during his term.

[14] *PEL Newsletter,* vol. 22, September-October 1956, p. 12. A *Pittsburgh Press* article, September 1, 1958, stated: "It's reported that the PEL, an agency which played a key role in setting up the county health department, wants to put one of its staff members in the key administrative post." The League man was appointed by the Commissioners the following year. *Pittsburgh Sun-Telegraph,* May 15, 1959.

[15] A similar case occurred in the staffing of the County Planning Commission: "Mr. Matthews has been recommended for the post of Director of Allegheny County Planning Commission by the Pennsylvania Economy League which proposed the reorganization outline. . . ." *Pittsburgh Post Gazette,* January 21, 1956.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

II

It is clear that the PEL has become an effective force in the shaping of state and local policies. It is probable that its influence will grow in the years ahead. But this impact on policy varies among the different sections that compose the League. Most influential of all, probably, is the Western Division.

The Western Division of the Economy League is one of a group of Mellon-supported enterprises that touch all aspects of life in Western Pennsylvania. The two main ones, of course, are the Mellon National Bank and Trust Company, and T. Mellon and Sons, but in addition to these purely economic enterprises, there are in Western Pennsylvania numerous community organizations receiving financial support from the Mellon family. In these organizations, it is usually possible to identify key persons as what may be called "Mellon men." For example, in 1958-59, the presidents or vice-presidents of the two Mellon companies named above held top posts in the following agencies: Allegheny Conference, PEL, Regional Industrial Development Corporation, United Fund, Pittsburgh Regional Planning Association, ACTION-Housing, Community Chest, Health Research Services Foundation, and Urban Redevelopment Corporation. Executives in the Mellon empire also hold high positions in colleges, universities, opera and symphony associations, scouts, foundations, chambers of commerce, playhouses, conservation groups, museums, libraries and welfare agencies.[16]

The Western Division of the Economy League provides a central point at which persons from the various power groups in the Pittsburgh area can come together to make decisions for the region and the state. A striking example of the way in which the League and other élite elements coöperate can be found in a quotation from the *Pittsburgh Sun-Telegraph* for February 2, 1947: "City leaders and legislators of both political parties have agreed to support a 10-point legislative program for Pittsburgh and Allegheny County, including broader taxing powers. . . . The program was drawn by representatives of the Allegheny Conference on Community Development and the Pennsylvania

[16] In Pittsburgh politics, for some years, there has been a marriage of convenience between Mellon interests, which are inclined to Republicanism, and the former Mayor, David L. Lawrence, who is a Democrat. Apparently, the Mellons needed the political help of Lawrence if the Pittsburgh "renaissance" was to succeed; on his side, Mr. Lawrence, an astute politician, knew that business support was essential if Pittsburgh and the Democratic Party along with it were to survive. See Frank Hawkins, "Lawrence of Pittsburg: Boss of the Mellon Patch," *Harpers Magazine,* vol. 213, no. 55, August 1956.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Economy League." Incidentally, it should be pointed out that League recommendations carry so much weight in the community that in 1958 one of its reports had the effect of forcing the Pittsburgh Chamber of Commerce to divest itself of various functions and reorganize completely.[17]

At the state level, the Western Division staff and directors often initiate legislative measures, especially in taxation and related matters.[18] In addition, it is frequently called in by executive leaders either to advise on policy, or to participate in or to conduct special studies. For example, it joined with the State Office in supplying research help to the recent "Hoover Commission" study of the state government. It also joined in the State Tax Study Commissions in 1956 and 1958.

The accomplishments of the State Office are perhaps fewer than those of the Western Division, but they are considerable nevertheless. During the past twenty years, but especially since 1950, the State Office has been consulted regularly by administrative officers. It has also worked closely with legislative leaders, especially in making studies preceding legislative action. On some occasions, in fact, the entire responsibility for this work has been delegated to it by the legislature.[19]

The Western Division and the State Office sometimes work together in advising the government. But relations between these two parts of PEL have not always been harmonious. In 1955 there was even something like civil war because the Western Division sought to dominate the central office in Harrisburg. As a result of this power struggle, the state director was forced out of office and John Ingram, formerly in the Western Division, was promoted to the directorship. We do not know all the reasons for this upheaval, but one prominent politician said: "The Harrisburg office had taken on too much of an independent

[17] See: *Pittsburgh Press,* February 19, 1958; *PEL Newsletter,* vol. 25, January 1959; *Pittsburgh Sun-Telegraph,* May 10, 1959.

[18] "Its studies also were instrumental in bringing about repeal of Allegheny County's machinery tax. . . ." *Pittsburgh Post-Gazette,* December 16, 1959. "After League studies, the state legislature permitted the manufacturer's exemption from the state capital tax stock to go into effect on Jan. 1, 1958." *Pittsburgh Sun-Telegraph,* December 15, 1959.

[19] "The Local Government Commission of the Legislature . . . asked the League to aid in a survey of the functions of municipal authorities throughout the state." *Pittsburgh Post-Gazette,* February 16, 1953. "Completed final phase of research activity for the Report of Commission on Constitutional Revision. . . ." "An Activities Report to League Members," *League Log* (Central Division, Wilkes Barre) January-March 1959.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

air and had been too much the purist in terms of their research to satisfy certain elements in the Western Division."

In Philadelphia, the development of the Eastern branch of the League has been handicapped by a combination of factors. There it is known as the Bureau of Municipal Research, a name which indicates a somewhat narrower range of interests than that of the other parts of the PEL. Moreover, in Philadelphia, the League is only one among several research agencies that are consulted by the city government. In the city power structure, the League is in competition for influence with several other groups among which are the Committee of Seventy, the Greater Philadelphia Movement and the Chamber of Commerce. It is not likely to become the main vehicle for decision making unless the leaders of the community decide that they need one spokesman and select the League for the rôle.[20]

The Central Division at Wilkes-Barre is like the Eastern Division at Philadelphia in that it has never achieved the same measure of success as that reached by the Western Division at Pittsburgh or the Central Office in Harrisburg. It has, however, taken part in scores of studies for the authorities in counties, municipalities and school districts included in its area. Moreover, its activity and influence have been increasing for some time past and are likely to increase still more in the future. It has not yet been completely accepted by the public and the officials in its area, but its usefulness is likely to become clearer to them as time passes, especially if the division is staffed adequately.

III

The position of the Economy League is made more secure by the insufficiency of public research facilities. Neither of the two existing state agencies is geared to satisfy today's demands. The Legislative Reference Bureau is primarily a bill-drafting organ for the General Assembly and secondarily a consultant on statute revision. The Joint State Government Commission, to which every member of the legislature belongs, is the research and planning arm of the General Assembly. It has a small research staff to carry out investigations, but is not an effective research agency because of its composition, the smallness of its staff and the meagerness of the funds placed at its disposal. As the Economy League pointed out in one of its publications, "these legislative commissions, valuable as they are, are limited in the subjects

[20] For the dispersion of power in Philadelphia, see James Reichley, *The Art of Government* (New York, 1959).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which they study, in the time which members are free to give between sessions and by their separation from each other and from the administrative offices of the Commonwealth."[21]

Nor do academic institutions provide much help in this regard. As individuals, faculty members participate in state and local government study commissions, as well as carrying on their private research, but in spite of these efforts, academic research is a negligible factor in the conduct of public affairs in Pennsylvania.

The same statement can be made of the political parties, neither of which does any significant research or has a research agency worthy of the name. In Pennsylvania, politics is played "by ear" in much the same manner as that of the old time bosses Quay and Penrose.

Interest groups, including labor, are equally unproductive. At best their efforts are second rate because they lack skilled researchers and have only narrow interests. Pressure groups, such as the liquor and billboard lobbies, show great skill at political infighting when their interests are affected. But when it comes to the consideration of broad questions of public policy the Economy League is in a special class. It has the research field pretty much to itself and is quite willing to admit or assert its superiority to other organizations for performing the task to which it has set itself:

> To the League, the interaction of State policies and local administration is one of the continuous processes which we clock and test and predict. We are able, as few others are, to see it through its whole development—in legislation, in state administration, and in local government. . . . We are also able to take our time. The elected official is a crowded man, racing against the calendar, the next election, and the momentary pressure. The League has permanence. . . .[22]

[21] *Pledges Against the Future,* p. 1. A State Planning Board with operating as well as research responsibilities existed for many years in the Department of Commerce, but in 1955 it was transferred to the Governor's Office and made purely a citizens' advisory agency. See F. A. Pitkin, "State Planning and Development—What They Are and Why They Serve," *State Government,* vol. 22, May 1950, pp. 92–94.

[22] *Pledges Against the Future,* p. 3. Both in writings and in speeches League personnel display a sense of the superiority of their work to that of the politician. In talking to a business group James M. Williams, district representative of PEL, was quoted as saying: "After all, usually elected officials do not possess the skill required for their office; all they need is enough votes." *Pittsburgh Post-Gazette,* September 15, 1958.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

IV

Pennsylvania is noted for the intensity of its politics. From the office of alderman to the office of governor, the game is played for keeps. Pennsylvania is also noted for the fact that in it labor and management have been more active politically than in any other state, with the possible exception of Michigan. It therefore seems strange that an organization like the PEL has been able to operate so effectively and with relative freedom from political attack.

There have been occasional protests from groups adversely affected by League recommendations, but no group or other individual has gone so far as Anthony J. Federoff, President of the Steel City Industrial Union Council (CIO), when he sarcastically proposed that city and county office holders abdicate in favor of government by the Economy League. "What is the use," he asked, "of elective officials if they are going to turn over their duties to the Pennsylvania Economy League? We can save the taxpayers a lot of money in salaries and election costs by getting rid of the office holders."[23]

In spite of such adverse remarks, the League continues to enjoy great prestige. As Beverly Smith said in 1951, the League is "a freak, a none-such, a what is it,—it is backed primarily by Republican money but is consulted and trusted by many Democratic communities."[24]

This bipartisan influence deserves further illustration. For some years the League has been a principal source for measures introduced by Republican legislators, even when the proposals disagreed with the programs advocated by Republican governors.[25] It continued to render this service to legislators after the Democratic administration took over in 1955. Its political orientation broadened when it was called in to offer tax recommendations, on the basis of objective study, that would break an executive-legislative stalemate of seventeen months' duration. But the League acquired its greatest influence in the administration of the Democratic Governor, David L. Lawrence.

[23] See *Pittsburgh Press*, September 4, 1959; *Pittsburgh Post-Gazette*, September 5, 1959.

[24] Smith, "How to Houseclean a State," *loc. cit.*, p. 39.

[25] *Pittsburgh Press*, December 2, 1943; January 26, 1947; November 20, 1951; October 26, 1952; November 20, 1952; February 13, 1959. Republican State "Budget Director E. B. Logan tonight accused the Pennsylvania Economy League of 'plain false insinuation' in its report that additional taxes are not necessary." *Post-Gazette*, November 21, 1951.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

At that time, in effect, the Pittsburgh alliance which was referred to earlier in this article was transferred to Harrisburg.

During the thirteen years that Lawrence had been Mayor of Pittsburgh, his chief advisers on management problems and the principal architects of the city's fiscal program had been the staff of the League's Western Division, especially its research director, David Kurtzman. After he became Governor, one of Lawrence's first acts was to appoint a bipartisan tax commission staffed by League experts.[26] He also chose David M. Baldwin, a long time research associate with the League, as his Budget Secretary. The League and Lawrence were brought even closer by constant consultations between David Kurtzman and the Governor's staff. Just how close this association was can be seen from a Pittsburgh paper's report on a press conference held shortly after Lawrence assumed office: "The Governor presented the state's financial picture at a press conference yesterday. He was assisted in negotiating the more intricate phases of the complex situation by David H. Kurtzman, research director of the Pennsylvania Economy League."[27] Some months later, in September, 1959, Kurtzman was appointed Secretary of Administration. As the Harrisburg bureau of the *Post-Gazette* reported: "Dr. Kurtzman, of Pittsburgh, will go on a leave of absence from the Pennsylvania Economy League to assume the $20,000-a-year state job which he has directed unofficially since the outset of the administration."[28]

There is irony in the present situation. A major issue in recent campaigns has been Republican charges that Democratic administrations have produced a bad "tax climate" in Pennsylvania and that the state is losing industries. These charges were based on studies published by the Western Division of the Economy League.[29] When David Lawrence became Governor he drew up a tax program under League guidance and used every device at

[26] "The State Tax Advisory Commission named by Gov.-elect Lawrence met in Pittsburgh. . . . Mr. David Kurtzman, research director of the PEL, said the Commission discussed state programs. . . ." *Post-Gazette,* January 13, 1959.

[27] *Pittsburgh Sun-Telegraph,* February 22, 1959. Early in each biennium the PEL, either on its own initiative or by request, publishes a detailed study of the Commonwealth's budget and tax needs. In 1959, no such report was made.

[28] *Pittsburgh Post-Gazette,* September 10, 1959.

[29] The first study in 1956 was initiated and paid for by the Pittsburgh Regional Industrial Development Corporation and circulated to members before publication. *Pittsburgh Press,* January 10, 1957. *PEL Newsletter,* vol. 23, January–February 1957. Results of a restudy in 1957 are printed in *PEL Newsletter,* vol. 23, November 1957.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

his command to secure its adoption. He was opposed by a small group of Democrats, but the main obstacle in his path was a united front of Republican assemblymen, erstwhile allies of David Kurtzman and the PEL.

V

The tax controversy emphasizes what has become the main objective of the PEL. In early years it sought to reduce governmental expenses and to improve the machinery of administration. More recently, it appears to have switched to the promotion of state and local tax measures which would reduce the burden on corporations.[30] Its concern with taxes is often obscured by the League's work in the managerial and personnel fields. But it is shown clearly by the part the League played in eliminating the machinery tax and instituting the wage tax, in servicing tax advisory commissions and legislative committees, and in preparing the budgets for state and local governments. For example, in 1959 PEL told its members that a change in the tax laws to permit pro-rata exemption of foreign manufacturing corporations was "the result of League suggestions and follow through."[31]

Most of the time, however, the League is silent about its successes in the tax field. Only occasionally does a definite evaluation of its efforts creep into publication. A speech before the Washington County Branch of the PEL by Mr. D. C. Duvall, Assistant to the President of Pittsburgh Steel Company, is an example:

> Under Pennsylvania law, there is no state tax on a manufacturer's personal income. A manufacturer cannot be taxed on his machinery and inventory, nor under the sales tax, on the materials and components he buys for manufacturing. Beginning next January, he will enjoy the state-wide manufacturer's exemption from the capital stock and franchise tax. Two years from now, the manufacturers state capital net income tax is slated by statute to drop from 6% to 5%. . . . Using a broad-based tax structure at both state and local levels in Pennsylvania will tend to reduce proportionate share of government expenditures paid by corporations, particularly those engaged in manufacturing activities. Dramatic evidence of this is the fact that although corporation taxes accounted for almost one-half of the state's general purpose income in the biennial

[30] For a revealing statement on the PEL attitude on this point see confidential report entitled "The Big-Switch" which was circulated among its members prior to the enactment of Pittsburgh's earned income (wage) tax in 1954. *PEL Newsletter,* vol. 19, December 1953.

[31] The League also took credit for another change in the tax laws which exempts industries from taxation for repair or installation services on their machinery. See "Confidential Report," *State Division Letter,* (State office, Harrisburg) November 30, 1959.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

> fiscal period in May, 1957, the corporate share will drop to approximately one-third of the total anticipated income for the succeeding two year period.
> Much—if not all the credit for this can be laid at the door of the Pennsylvania Economy League. . . .[32]

The successes of the League have not gone entirely unnoticed. Observers of Pennsylvania politics like union leader Federoff regard it as a pressure group concerned particularly with the reducing of the tax obligations of its corporate members. Although the professional staffs of the PEL would not answer to the name lobbyist, their actions in Harrisburg, Philadelphia, Pittsburgh and in scores of county courthouses and city halls throughout the Commonwealth clearly reveal their calling.[33]

VI

Many politicians are aware of the power exercised by the PEL, but feel that they are in no position to do anything about it. Democratic politicians, though critical of the League in private, are often among the first to seek its advice publicly. The gratuitous offer of high priced talent is difficult to reject, especially since the offer is sweetened by the knowledge that neither the public official nor his party will be singled out for condemnation by the League report. Coöperation with the League has been "good politics" for Democratic officials in a number of communities. Conversely, in these very same areas, League activity has placed Republican candidates in a form of political strait jacket. Since financial support of both the League and the Republican party comes from the same source, the money men are in a position to scuttle the campaign of a Republican candidate who becomes too critical of Democratically administered programs initiated and pushed by the League.[34] Moreover, the

[32] D. C. Duvall, "Taxation With Representation," speech delivered before annual meeting of Washington County Economy League, November 20, 1957. Published by Western Division, PEL, 1957

[33] The *Pittsburgh Press*, September 9, 1959, candidly described Dr. Kurtzman as "the League's Number 1 researcher, trouble-shooter and lobbyist" on the occasion of his appointment to high state office.

[34] In a rare move, Pittsburgh banker Richard K. Mellon let it be known that he was refusing to contribute to the Republican State Committee because Republican state legislators had refused to pass a bill which would have transferred 162 miles of Allegheny County roads to the state. The bill in question had been drafted and sponsored by the Allegheny Conference on Community Development, a Mellon enterprise. See *Pittsburgh Press*, May 28, 1960.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

incentive to finance the local party deteriorates as objectives are realized through the coöperation of Democratic incumbents. It is common knowledge that the Allegheny County Republican Finance Committee which contributes substantially to the national party committees, has practically starved the local Republican party and in recent elections has put the state committee on short rations.

Fortunately for the Republican party this situation is not universal since more than half of the state's 67 counties contain no League organization. Interestingly, these non-League counties include the highest percentage of registered and voting Republicans. An educated guess would probably show a high correlation between the money resources, staff and activity of the League and the Democratic rankings of the thirty counties having PEL affiliates. Of course, some politicians are scarcely aware of the importance of the League. They dismiss it, as one Republican county chairman did when he called it "just another one of those business groups," although, in fact, the League has made several significant studies in his own district.

Political leaders have been prone to take the easy way out of prickly problems by abdicating their responsibilities to the League. Many do it from the best motivations, sincerely believing that the League will render a truly public service. The alternatives of unwieldy, amateurish study commissions or expensive consultants from outside agencies are quickly dismissed by the financially embarrassed, research-starved municipalities in favor of expert advice, at no cost, from the Economy League. A trend has developed in numerous communities, where controversial issues have been avoided or evaded, to call in the appropriate League unit to conduct a study and make recommendations. Leslie J. Reese, former Executive Director of the Western Division, wrote in 1958: "Everywhere in the Western Pennsylvania community there is the growing feeling that when a serious problem exists, if it requires extensive research, or involves more efficient use of the community dollar . . . then 'Let's ask the League to study it.' "[35]

The public image that the Economy League has fostered can best be illustrated by the experience of former Governor George M. Leader (D) who used about 150 consultants, both agencies and individuals, during his administration. Republicans, Democrats and most of the Pennsylvania press attacked the Governor for hiring "outsiders," for paying "high" consultant fees, and

[35] *PEL Newsletter*, vol. 25, January 1959.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

for not using the League to more advantage, even though Leader did call in the PEL for a number of studies. However, since the state government was not adequately staffed with experts, Governor Leader deemed it advisable to employ outsiders as a check on the recommendations that were submitted by the League and other research consultants. It is not unreasonable to say that one of the worst beatings Leader took politically stemmed from his use of these outside agencies.

VII

The implications of this analysis of the PEL go beyond the identification and evaluation of its rôle in the decision-making process to the serious issues of the form and operations of our representative system of government. A continuation of the present trend whereby public authorities are dependent upon the services of a private organization bodes ill for our democratic processes. The evidence presented above shows that the research weapon has brought the League, in its capacity as fact-gatherer, into the inner circle of decision makers. The evidence shows that the PEL has been a formulator of public policy; in some instances it has been responsible also for the administration of its own proposals.

Although it may be claimed that the League's functions are merely advisory, managerial and routine, enough data exist to show that many really crucial decisions may be made at these stages. The innocuous statement that the League "provided staff assistance to the new administration in putting the Governor's budget together . . ." may, in time, mean that "the League, by virtue of its parallel operations at the state and local government levels, enjoys a unique capacity to render objective assistance in the formulation of state policies and programs affecting its local subdivisions."[36] If the League has a hand in drafting budgets and recommending personnel, it automatically plays a significant rôle in the kind of government a community, a county or a state will have.

The argument that the League is only one of a number of groups concerned with state and local problems does not give adequate weight to the organization's position in the power structure or to its record of accomplishments. Other groups engage in research, but the "countervailing force" theory has little

[36] "An Activities Report to League Members," *loc. cit.;* "A Resumé of the League State Level Activities," *Harrisburg Report* (State Office, Harrisburg), May 25, 1956, p. 4.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

application in Pennsylvania where most organizations do not have the resources, staff, or opportunity to present effectively their claims. The League is privy to governmental needs and designs, and often has supplied its findings and recommendations before other groups are aware that their interests are being affected. Moreover, the scope and quality of the services provided by the League are far superior to those any other single group could render. Even professional outside consultants are at a disadvantage when competing against the League's free service. This fact alone produces, or should produce, reservations about the "impartiality" of the League. In a materialistic society wherein taxpayers' associations and corporations preach against "creeping socialism" by constantly reminding the taxpayer that nothing is free, it appears contradictory that the League exacts no payment for its services.

The increasing scope and complexity of government have led many observers to believe that "there must be no important policy determinations unless they are supported by thoughtful analysis and research."[37] In the current literature on policy making, research activity is usually presented as a mere question of fact-gathering and given a neutral connotation. Usually underemphasized is the selectivity factor, that is the ordering, evaluating and weighting elements. Almost completely ignored is the follow-up or action-taking aspect. Norman Meller discussed these aspects in his incisive analysis of policy formulation by legislative service agencies and concluded that government research or reference bureaus were really active participants in the decision-making process.[38]

In effect, the Economy League performs the functions ascribed to legislative service agencies and the sampling of examples presented above provides supporting evidence for Meller's thesis. However, Meller, Harrell and others who have stressed the need and desirability of research-oriented decision-making assumed that some public or semi-public agency would be charged with the

[37] C. A. Harrell and D. G. Weiford, "The City Manager and the Policy Process," *Public Administration Review,* vol. 19, Spring 1959; C. E. Ridley, *The Role of the City Manager in Policy Formulation* (Chicago, 1958); Frederic H. Guild, "Legislative Councils: Objectives and Accomplishments," *State Government,* vol. 22, September 1949, pp. 217–219, 226.

[38] Norman Meller, "The Policy Position of Legislative Service Agencies," *Western Political Quarterly,* vol. 5, March 1952, pp. 109–123.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

responsibility of supplying data.[39] There is no such agency in Pennsylvania where a pressure group, vitally concerned with the content and course of public policy, is a principal in the decision-making process.[40].

In an era when science and research have a public acceptance that exceeds public understanding, government by research is gaining constant adherents. Efforts are made to seek the solutions of governmental problems by objective inquiry into facts and then to make the application of these solutions a matter of routine administration. Partisan politics becomes sterile and superfluous. As the area of assured knowledge expands, the area of decision-making by purely political processes is contracted. There are fewer and fewer alternative courses of action open to legislative bodies.[41] If contemporary trends continue long enough, public assemblies, once the rubber stamps for political bosses, could become merely ratifying agencies for research organizations.[42] This prospect is not wholly pleasing even if we assume that these research agencies would be public and responsible bodies. To lodge so much power in the hands of a special interest group is certainly a travesty on representative government.

EDWARD F. COOKE

UNIVERSITY OF PITTSBURGH

[39] For a concise summary of the need and functions of such an agency see *Planning Services for State Government: A Summary of its Needs and Suggestions for Organization* (Council of State Governments, 1952). Planners and researchers are not in complete agreement on compiled research. See "Planning Services for State Government," *State Government,* vol. 29, April 1956, pp. 69–74; *ibid.*, vol. 29, October 1956, pp. 199–201.

[40] This concept of decision making through research by private groups though not included in Peter H. Rossi's review of approaches to the study of community decisions could be considered one of the variations in need of investigation. The results, however, do not fit his generalizations on the relative vulnerability of private and public organizations.

[41] C. A. Harrell and D. G. Weiford, *loc. cit.,* p. 104.

[42] Although Davy and others closely associated with the legislative council and reference service movements discount this possibility, their defense stems largely from the political checks in the system. See Harold W. Davy, "The Legislative Council Movement in the United States, 1933–1953," *American Political Science Review,* vol. 47, September 1953, pp. 787–797, and Guild, *loc. cit.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE ARTIFICIAL REVOLUTION IN GERMANY

A CASE STUDY

Can an outside authority produce an artificial revolution to accomplish democracy? John D. Montgomery, in a recent book on the American occupation in Germany and Japan, suggests that American efforts in those two countries were halting attempts at artificial revolution on behalf of democracy. He concludes that the experiment achieved only limited success because it proceeded without a conscious application of a theory of artificial revolution, that it was hampered by public ignorance at home, by the lack of an extensive and responsible information program overseas, and by the absence of positive institutional changes to attract new leaders in Germany and Japan.[1]

Although it is common among American scholars to attribute the limited success in Germany to methodological difficulties, this overlooks a fundamental factor: the inability of Americans to agree upon a series of policies, consistent within themselves and with each other, which would lead progressively from Nazi totalitarianism to a peaceful, democratic Germany. Failing to agree upon a uniform program among themselves, Americans were unable to communicate their objectives—except in a most doctrinaire fashion—to the Germans whom they wanted to encourage as leaders in the reconstituted Germany. The purpose of this article is to present evidence from a case study of Marburg under occupation to suggest that American efforts not only failed to attract a new democratic leadership, but that they discouraged and disillusioned what democratic leadership potential there was. The argument presented suggests further that Americans were either unable or unwilling to admit that they had certain political interests in Germany that did not necessarily derive from their long-range ideal of a peaceful, democratic Germany. The inference to be drawn from the argument is that any artificial revolution on behalf of democracy is likely to achieve only limited success in its recruitment of leaders unless the artificial revolutionists distinguish clearly between their minimum democratic essentials and their political interests. The latter can conceivably

[1] John D. Montgomery, *Forced to be Free: The Artificial Revolution in Germany and Japan* (Chicago, 1957), pp. 191-99.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be reappraised, compromised, or even abandoned if it is necessary to do so in order to achieve democracy.

The evidence and the argument that follow have all the limitations of a case study. Marburg is no microcosm of the American occupation zone; the conclusions about the local situation may or may not be the same as those for the occupation as a whole. Marburg may not be a typical *Stadtkreis-Landkreis,* in that it is the location of a university. Nevertheless, it does have certain characteristics in common with German communities with a middle-class, Protestant, agricultural population which has been influenced little by the working class. A study of the operations of a military government detachment is obviously not a study of the occupation in Germany, but it does have the advantage of enabling direct observation of the occupation's impact upon individuals and small groups; the objects of the occupation. The value of such an approach seems apparent, both for its particular contribution to knowledge and for its indications of the conclusions that might result from a similar study of larger scope. Lastly, the *Landkreis-Stadtkreis* and the detachment are manageable units for the analysis of the impact of the occupation by using the sources created by the occupation rather than official reports, summaries, reminiscences, and eye-witness descriptions.

I

The method employed by military government in Germany is reasonably clear, and comprised four parts:

1. Identification and removal of the ruling Nazi élite.
2. Identification and destruction (or modification) of the institutions by which the Nazi élite maintained itself in power.
3. Substitution of new or transformed institutions within which a new leadership could grow and function.
4. Encouragement and support of a new democratic leadership to take the place of the removed Nazi élite.

The objectives sought by military government in Germany are less clear. There was the long-range objective of a peaceful, democratic Germany, expressed in the two major policy statements governing the occupation and apparently impressed on the hearts of those who crusaded for democracy in Europe.[2] But the ultimate aim was obscured by more immediate objectives

[2] JCS (Joint Chiefs of Staff) 1067, part I, par. 4, c, and JCS 1779, part IV, 5, in United States Department of State, Office of Public Affairs, *Germany 1947-1949, The Story in Documents,* Department of State Publication 3556, European and British Commonwealth Series 9 (Washington, 1950), pp. 23, 34.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and by shifts in military government policy. Denazification, which began as an American purge, became a German administered program in 1946, lost its stress on vengeance and became narrower in scope during 1946 and 1947, and was eventually abandoned abruptly as an American program in 1948. Decentralization, which Americans recommended to the Germans but flouted in practice, gave local German administrators a close-up of the dichotomy of American theory and practice. Demilitarization, which was accomplished with dispatch in 1945, was forgotten after the final collapse of four-power control in 1948 and gradually changed to rearmament about 1950. Industrial dismantlement proceeded apace until differences in interpretation of the Potsdam reparations agreements brought a partial halt in 1946 and final abandonment as first the Bi-Zone, then the West Zone, and finally the Federal Republic resumed production. Americans hoped to achieve civil service reform, educational reform, and democratization first by influencing their appointed and elected German counterparts and the agencies created by Germans who were freely elected at the local and state levels. But, about 1948, the American emphasis changed to political rehabilitation and reorientation, which would occur at the grass-roots level and go over the heads of local officials and agencies. The reconciliation of the long-range ideal with the immediate administrative necessities of the occupation appears to have been the vain American hope that Germans would produce a new democratic leadership and that this leadership would freely and readily (instinctively?) accept the American image of democracy and thus accept also the administrative necessities for what they were. Philosophically stated, Americans hoped that the new democratic leadership in Germany, once freed from the *Gleichschaltung* of totalitarian Nazism, would translate—or permit and aid Americans to translate—the "general will" into concrete social, economic, and political action.

A case study of the American occupation in the community of Marburg leads to the conclusion that the removal of Nazis and Nazi institutions and the creation of new and reformed institutions did not bring forth German anti-Nazis who agreed with Americans on details.[3] It brought forth, instead, people who disagreed with Americans about the extent and the intent

[3] See John Gimbel, "American Denazification and German Local Politics, 1945-1949: A Case Study in Marburg," *The American Political Science Review*, LIV (March 1960), pp. 83-105, for a portion of the study. The entire study, *A German Community under American Occupation*, will be published by Stanford University Press in April, 1961.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of denazification itself; people who disagreed with Americans about municipal and county government codes, the nature of the civil service, the structure and purpose of education, the proper political party organization and proper electoral procedures, the extent of industrial disarmament, the value of grass-roots political activities, and many other things.

Many of those who participated in the military government, and American analysts after 1945, often perceived this dilemma, but without questioning the apparent assumption that the American image of democracy is universally valid. Instead, they blamed the character of German liberalism or thought that the American occupation had failed to free the Germans properly. Thus, they examined their methods and concluded, among other things, that denazification failed to accomplish its purposes, that public information programs were inadequate, that public ignorance in the United States was a hindrance, that American personnel policies were unenlightened, that military government organization was cumbersome, and that institutional changes were insufficient.[4] Some Americans concluded that German society was completely incapable of nurturing true democrats.[5]

What these analyses overlook or discount is the dilemma of both military government and the potential German democratic leadership in Germany. It is the age-old dilemma of liberals and moderates, not new in Germany or in the postwar period. Scattered on the political continuum between extremists on both ends, liberals and moderates have always been forced to define and redefine their criteria for action in the light of conditions over which they have no immediate control. In the past, Robespierre and Babeuf called forth different responses from liberals and moderates than did Louis XVI, Daniel Shays than George III, Louis Blanc than Louis Philippe, Winstanley than Charles II. The point, central to the thesis of this paper, is that liberals and moderates in each of the instances were forced by the actions

[4] See, for examples, John H. Herz, "The Fiasco of Denazification in Germany," *Political Science Quarterly*, LXIII (December 1948), pp. 569-94; Albert Norman, *Our German Policy: Propaganda and Culture* (New York, 1951); Harold Zink, *American Military Government in Germany* (New York, 1947), pp. 22-87; Carl Dreher, "Close-Up of Democracy," *The Virginia Quarterly Review*, XXIII (Winter 1947), pp. 89-107; and Montgomery, *op. cit.*, pp. 191-99.

[5] See, for examples, Bertram Schaffner, *Father Land, A Study of Authoritarianism in the German Family* (New York, 1948) and David Rodnick, *Postwar Germans: An Anthropologist's Account* (New Haven, 1948).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of their *primary* enemies to adjust, redefine, reappraise, even compromise, their own bases for action.

Existing studies of how and why liberals and moderates of the past redefined their immediate objectives is highly suggestive for the understanding of the artificial revolution in Germany.[6] Americans, bearing the responsibilities of power and faced with the immediate problem of removing Nazis and Nazi institutions, concentrated their efforts first upon totalitarian Nazism as the *chief* enemy of a future democratic Germany. The Germans whom Americans wanted to elevate to power agreed, but at the same time they saw a distinct danger in the fact that Communists and left-wing Social Democrats were using the denazification program to achieve power locally; they seemed to use denazification to prepare for real—rather than artificial—revolution. Eventually, as American emphasis on vengeance and safety turned to reform and recovery, as four-power control in Berlin failed and as the cold war developed, Americans saw that Communist totalitarianism was the *chief* threat to a future democratic Germany. The Germans whom Americans wanted to elevate to power agreed again, but now they saw a distinct danger from the right: conservatives and ex-Nazis regained political stature (having suffered little economically and socially, they had little to regain) as denazification declined and the rearmament of Germany assumed paramount importance.

The complication arose because Americans seemed to change their point of reference (that is, their primary enemies) and thus also their policies on the basis of their evaluation of over-all world politics, whereas the German liberal and moderate, whose status as an occupied enemy gave him no voice in foreign affairs and who had to live in the community long after the occupation would end, had a stronger domestic and provincial interest than the Americans.[7] It goes without saying that Americans were not oblivious to the local problems their policies raised; nor that Marburgers were oblivious to the international problems faced by Americans. Nevertheless, both had to choose between alternative actions on the basis of their judgment about the past,

[6] Crane Brinton, *The Anatomy of Revolution*, rev. ed., (New York, 1952); J. L. Talmon, *The Origins of Totalitarian Democracy* (London, 1952); and John Plamenatz, *The Revolutionary Movement in France, 1815-1871* (London, 1952) are important contributions.

[7] See Eugene Davidson, *The Death and Life of Germany: An Account of The American Occupation* (New York, 1959), for a detailed account of the effect of world conditions upon American policy changes in Germany.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the present, and the future. Neither could be expected to choose a course that would bring defeat or annihilation. Accordingly, for the purposes of this analysis, the American decision to denazify thoroughly was no better or worse than the German liberals' opposition to certain details of the purge; the Americans' decision to encourage a strong West Germany was no better or worse than the liberals' opposition based on fear of a revived conservative-Nazi coalition. But, since effective power rested with the occupation forces, it was their decisions which were translated into action, and the German liberal and moderate faced frustration.

To sum up, before presenting data from our case study, the artificial revolution's limited success was due not only to methodological difficulties, as Montgomery and others imply, but to a basic theoretical flaw. Seemingly, Americans acted on the assumption that American interests and democracy are one and the same; that the American democratic image is a universal image. This action permits the inference that Americans either misunderstood or ignored their own democratic evolution. Either they failed to appreciate that American democracy is the result of a historical development full of compromises between contending and uniquely American interest groups or they were unwilling to face the prospect of a German democracy based upon compromises between powerful interest groups (socialists and nationalists, to name two), each conditioned by its own image of German historical development.

II

To identify and destroy the Nazi élite proved to be a most difficult task. At first, all pre-1933 Party members were designated members of the élite. At another time, all pre-1937 Party members and leaders in affiliated organizations were so designated. On the other hand, the early American non-fraternization policy implied that all Germans were responsible for Nazism. Then, in 1946, a procedure was developed whereby all Germans above the age of eighteen were judged by the degree of their activity in the Nazi movement. It is clear that the vacillation of American denazification policy hurt the main program of removing the ruling élite. But even if the policy had been clear and unvacillating, there would remain the more serious question of its ideological impact on the new leadership in Germany.

In Marburg, the potential leaders in the new democratic Germany were anxious to denazify. But they were soon dis-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

illusioned by American denazification methods and the effects of the non-fraternization policy, industrial disarmament, and military requisitions, for these seemed to group all Germans with Nazis, militarists, and undesirables. A committee of leading Marburg citizens that was formed on the first day of the occupation shows this growing disillusionment clearly. The committee wanted to help military government remove Nazis and reconstruct the civil government. It presented a recommendation to the Military Governor. But military government, acting upon its own denazification directives and upon the apparent assumption of collective guilt, refused to collaborate with the committee, investigated its membership over and over, finally destroyed it in December, 1945, and even arrested its chairman temporarily. Before this, the committee, with a strong liberal and moderate group among its original twenty members, had to cut its membership to five immediately to conform with American security regulations. In the process, and following upon renewed military government investigations of its membership, the liberals lost effective power—although not membership—within the committee. In large measure this liberal eclipse was the result of a plan by Marburg's leading conservatives to use the committee as a counterforce to the Communists and Socialists whom military government had appointed—in disproportionate numbers—as police, civil officials, and military government investigators.[8]

The Communists and Socialists in key civilian and military government positions used the American denazification program in an apparent campaign to effect a substantial political, economic, and social transformation in Marburg.[9] They prepared elaborate personnel card files, they placed their political associates in municipal and county offices from which Nazis had been removed, and they seemed eager to "denazify" individuals whose Nazi connections were not clear but whose conservatism and

[8] The minutes and other papers of the political committee (SPA *(Staatspolitischer Ausschuss)*) are in the Rathaus, Marburg, Germany.

[9] The Lord Mayor was a Social Democrat. The personnel administrator in the city hall was a charter member of the Marburg Communist Party, serving on the executive committee and as secretary. Of the eleven investigators I found on the payroll lists of the Marburg military government detachment six were Communists and two were Socialists. One of the latter described himself as a leftist-Socialist. The American-appointed police chief was a Communist. He appointed radical leftists (no evidence of party activity) to head the political division and the "special investigation section" of the police department. The police chief brought to Marburg by military government in 1947 told me, in 1954, that the force was infiltrated with Communists in 1947. He is himself a Social Democrat.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

anti-Communism were certain. Some Communists demanded confiscation of property belonging to Nazis and to war dead.

The liberals and moderates in Marburg faced a serious dilemma. Encouraged by the hope and prospect of an American occupation devoted to the rule of law and the eventual construction of a democratic regime in Germany, they were also fearful lest the denazification program result in the substitution of one totalitarian system for another. Americans, out of naïveté, a theory of collective guilt, and poor local intelligence reports, failed to perceive the dilemma and pushed for thorough denazification to the delight of the Communists and radical Socialists and to the dismay of the conservatives, not to mention the Nazis.

Individual and group protests proving fruitless, Marburg's liberals and moderates were literally forced, in 1945, to choose between support of denazification (that is, leftists) and support of the conservatives whose spokesmen on the political committee opposed denazification categorically.[10] They could, of course, have chosen the third alternative of inaction as many had done in the thirties to their bitter regret. Their decisions varied with individuals, but always the effect was that they lost their political identity by joining with more numerous and more powerful forces. The majority joined with the conservatives, hoping to forestall a revolution which they suspected the Communists and radical Socialists of promoting through denazification. The upshot was the victory of the most conservative party (Liberal Democrats) in the Marburg municipal election held early in 1946. The party had campaigned on the issue of Communists in local government and had promised an early "de-Communization" of the municipal government if elected.[11]

The anti-Communist coalition was never a happy one, and was soon dissolved. In June, 1946, denazification came under the jurisdiction of German denazification tribunals which were dominated (in Marburg) by conservatives. In July and Decem-

[10] Ludwig Mütze to Mr. Bernard, June 19, 1945, (in Mütze's possession, Marburg); Hermann Bauer to Herrn Knoll, Subject: *Wie man heute über die amerikanische Besatzung denkt,* August 10, 1945 (in Bauer's possession, Marburg); *Thesen zur "Entnazifizierung,"* October 25, 1945. The latter is a list of twenty-three theses, critical of denazification, prepared by the local Roman Catholic priest for the SPA. The committee endorsed the theses on November 9th and resolved to forward them to German and American higher authorities. SPA, Minutes, November 9, 1945, *Stadtkreis* Marburg Papers.

[11] In an election post-mortem, the editor of the *Marburger Presse* expressed his opinion that the proposal to "de-Communize" was the deciding factor in the victory. *Marburger Presse,* May 17, 1946, p. 2.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ber, 1946, American amnesties exempted youths and low-income groups from denazification; foreshadowing a gradual change in administrative procedures and a reduction of American pressure to denazify thoroughly. By early 1948 American field detachments received instructions to expedite denazification because it was believed to be "essential from the standpoint of Military Government objectives in Germany that the program be finished rapidly."[12] The effect of these developments was especially odious to Marburg's liberals, for the small-fry Nazis, whose cases required relatively little research, were tried while denazification was more inclusive, thorough, and stringent. On the other hand, the Nazi functionaries, whose cases required long and painstaking research, were tried under more relaxed procedures and less American pressure. The effect was that Nazi functionaries often received light penalties compared with those of the small-fry Nazis. Thus, the tribunals were often charged with inadequacy, and Marburg's liberal spokesmen protested especially their tendency to let Nazis and Nazi sympathizers off with light penalties or with complete exoneration. Faced with this turnabout in which they believed the conservatives would reap the major benefit of denazification, the liberals also seemed to make a turnabout.[13]

In their opposition to German-administered denazification most liberals found themselves identified with the Communists and radical Socialists who also protested, but not for the same reasons, against the mild denazification practices of the tribunals. The identification with radicalism was so apparent late in 1946 that the Marburg Military Governor, in a report to higher headquarters, named the chief liberal spokesman in Marburg as a leading Communist in the city.[14] In reality he was the editor of the military government-licensed newsapaper and a charter member of the Liberal Democratic Party. He was also the same man whom a previous Military Governor had had under investigation in 1945 as a Nazi suspect because he had criticized early

[12] OMGUS (Office of Military Government for Germany, United States), AG (Adjutant General) 338 (CA (Civil Administration)), Subject: Expediting Completion of Denazification Trials in the United States Zone, March 27, 1948. OMGUS Papers in Kansas City Army Records Center.

[13] *Marburger Presse,* 1946-1948, *passim,* especially *"Vom Unmenschlichen zum Allzumenschlichen"* (editorial), May 3, 1948, p. 2.

[14] OMG (Office of Military Government), Marburg, to OMGUS, October 11, 1946, HICOG (Office of the United States High Commissioner for Germany) Papers in HICOG Offices, Mehlem, Germany.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

denazification for going too far. He had resigned his position as assessor for the Marburg denazification tribunal in 1946, some time before the Communist assessors resigned en masse in 1947. He also resigned from the executive committee of the Liberal Democratic Party, protesting the party's conservative emphasis. He continued, however, to use the columns of his newspaper to point up the failure of the tribunals to convict Nazis and he wrote often that if the big Nazis were set free there would be only little ones left to hang.

Denazification forced liberals and moderates who were excellent candidates for stable leadership in the new Germany either to oppose the methods of denazification or to deny their democratic ideals. During the early phase, when denazification seemed to give Communists and radical Socialists a free hand, they protested that denazification was contrary to the theory and practice of democracy. They said it removed legally acquired rights by a non-legal process, it assumed collective rather than individual guilt, it assumed guilt rather than innocence, it did not permit appeals, it divided the guilty from the innocent at an arbitrary date, and other things. Their criticisms identified Marburg's liberals and moderates with conservatives whose connections with Nazism followed no simple rule, but whose social and political ideology made them poor candidates for future democratic leadership. After June, 1946, when under the Law for Liberation from National Socialism and Militarism, the conservatives captured the denazification program, the liberals and moderates again had to choose between two imperfect alternatives: an acceptable method leading to an undesirable end, or opposition. In this case they chose opposition, with the dismaying result that they were identified with Communists and radical Socialists.

In choosing the lesser evil and shifting their support as the circumstances dictated, Marburg's democrats did little to promote harmony between themselves and Americans. Their attitudes conditioned more by world politics than by local needs, Americans apparently never perceived the Germans' dilemma; if they perceived it they failed to appreciate it. Marburg's democrats, often working at cross-purposes with Americans, prejudiced their future political potential. But even more pertinent to the present argument, their circumstances portray the difficult position in which the artificial revolution placed its greatest supporters by denying them effective power. Giving them effective power would have been, on the other hand, detrimental to one

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

aspect of military government's aims, since German liberals were apt to adopt a heretical foreign policy, that is, neutralism for central Europe. Some, in Marburg, were also willing to support nationalization of basic industries.

III

Identifying the institutions that maintained the Nazi élite in power proved to be as difficult as identifying the individuals who constituted the élite. The Nazi Party and its affiliated organizations had to be abolished. But how much of the German military organization had to go? Did industrial war potential have to go? Did the German civil service contribute to the Nazis' success? Certain features of the foregoing institutions were clearly unsuitable for a democratic Germany. But how much change was necessary in the structure and practice of political parties at the local level? What changes were necessary in an educational system that seemed to perpetuate a distinctive class system? What should be done about a press that tended to editorialize in its news reports?

Where the artificial revolutionist draws the line between the desirable and undesirable institution or the desirable and undesirable characteristics of institutions that will be perpetuated is of little significance to the present study. What is significant, however, is how the undesirable institutions or characteristics will be removed and how such removal affects the people who supposedly will form the new leadership. Industrial disarmament in Marburg provides a case in point. Americans found two industrial enterprises in Marburg which they marked for eventual decartelization and destruction. The one, an *I. G. Farben* affiliate, was permitted to continue production but was placed under American control. The other, a large munitions manufacturing plant built near Allendorf during the Nazi regime, was to be partially dismantled and partially destroyed. The Marburg democrats, together with all their compatriots, made every conceivable effort to save the latter industrial plant from destruction. They argued that the facilities could be converted to production essential for German reconstruction, that employment opportunities were needed for the refugees streaming into the area from the east, and that in a reconstructed democratic Germany the war potential could be converted to peace potential. In thus combining with other political factions to oppose industrial disarmament, the Marburg democrats did little to convince

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the Americans that they were reliable members of a new democratic élite.

Faced with the common resistance of Marburgers to industrial dismantlement, American officials reacted true to form. In 1947 when, as a result of international complications, it became clear that the Allendorf munitions plant would not be destroyed completely and that it would eventually house peacetime industry, the American reparations field adviser for the Marburg district ordered the standing timber in the area cut and removed.[15] Responding to German protests, he explained that the forest had prevented detection of the plant from the air during the entire war.[16] The implication of the order was clear to Marburgers: no future German government—since even the democrats were incorrigible—is to be trusted with a plant that can be effectively camouflaged to prevent observation from the air. Marburg's leading liberal spokesman wrote that the American action destroyed the one strong justification he had had for supporting Americans. Before this he had always believed that Americans would eventually put their faith in a reconstructed German democracy after they had destroyed Nazism.

The positive institutional changes that seem to be necessary to promote an artificial revolution in behalf of democracy produced similar paradoxical effects in Marburg. Obviously, American attempts, after 1948, to promote parent-teacher associations, women's clubs, traffic safety councils, junior chambers of commerce, town-hall meetings, public forums, and soap-box derbies went beyond the boundaries of necessity. But was grass-roots democracy essential? Was a non-political civil service necessary? If we grant, as we have before, that a well-developed theory of artificial revolution would have to determine where the line is to be drawn, we still have not answered the next question. Who will do it and how is it to be done? Ideally, it would be indigenous democrats (the potential élite of the new democracy) with the encouragement and support of the outside authority, in this instance, military government. But it is already sufficiently clear that the democrats' response to denazification and industrial

[15] OMGH (Office of Military Government for Land Hessen), Economics Division, Reparations Field Office, Kassel, Subject: Letter of Instruction to Reparations Supervisor *Fabrik Allendorf,* March 25, 1947, OMGUS Papers.

[16] OMGH, Economics Division, Reparations Field Office, Kassel to Chief, Reparations Section, Subject: Removal of Camouflage from *Fabrik Allendorf,* June 18, 1947, OMGUS Papers.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

dismantlement engendered criticism and suspicion rather than encouragement and support.

The American attempt to reform the German educational system and introduce one that permitted common education for at least six years enables us to study both an American institutional reform measure and the position of the German democrat. It is easy to see how the German democrat could oppose the reform honestly. Our post-Sputnik experience reveals that there can be disagreements about the purposes, goals, and structure of education even among the most devoted disciples of political democracy. In Marburg the attempt at educational reform—which admittedly went too far by insisting that the school year open in September rather than on the traditional April date—compelled the democrats to choose between two alternatives. The American reform proposals would have required them to renounce much of their educational heritage and to adopt a system that had little historical and intellectual foundation in Germany. Moreover, the American plan created practical problems which seemed to be insoluble in the immediate postwar period. Buildings, teachers, textbooks, and supplies were insufficient even to meet the needs of the system as it existed, without adding the new demands that an expanded student body, educational plant, and curriculum would require. On the other hand, to choose to work within the existing framework was to throw the democrat into a strong coalition of conservatives, ex-Nazis, and others who were more concerned with preserving the educational status quo as it had been before Hitler than with reform. In short, the Marburg democrat had the choice of either an undesirable, and perhaps impossible, American plan or an equally undesirable German system that obviously needed change. He chose, without obvious exceptions, to throw in with the forces of the status quo, preferring to gamble on moderate reform than to support what he thought to be a most radical American departure. Resistance to American educational proposals came from the potential democratic leadership as consistently and actively as it did from the conservatives and ex-Nazis.

The second case in point is the American program of political reform at the grass-roots level. Marburg's outspoken advocates of free elections, a free press, a state governed by laws rather than men, viewed with grave suspicions the American demand for direct elections of individuals, American pressure for sur-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

veillance of public affairs by citizens' groups, and American insistence that public officials justify their actions in press conferences and by other means before an aroused and interested public. Marburg's democrats did not fear the institutions of democracy *per se,* but, being a minority, they feared that grass-roots democracy, free political association, and free elections—*under existing conditions*—jeopardized their very existence.[17] Grass-roots democracy, they said, permitted ex-Nazis, nationalists, conservatives, radicals, opportunists, and Communists, as well as liberal democrats, to organize local parties and compete for members and votes. In Marburg the democratically-oriented political parties had to compete, after 1946, in the rough and tumble of election campaigns and recruitment campaigns on the issues that the other parties raised. They adopted strong social platforms to win over the leftist votes, they emphasized nationalism to stymie the right wing parties; in fact, they criticized the occupation forces, denazification, industrial disarmament, decentralization, civil service reform, and educational reform—the very things that were supposed to help them to power—to such an extent that their campaign literature and oratory is hardly distinguishable from that of all the other parties.

As in the case of other military government experiments, the establishment of grass-roots democracy forced Marburg's liberals into a position not of their own choosing. They decided, in this instance, to play the game demanded of them by Americans, but the party leaders kept a firm control over the selection of candidates for public office and political preferment. At the same time they opposed vigorously the new local political institutions (town-hall meetings, public forums, and so on) brought by Americans after 1948. They feared that these institutions would open new channels through which ex-Nazis and other politically unreliable persons could achieve power.

It is clear that the problem of identifying the new leadership and helping it to attain power presents no easy solution. Originally Americans assumed that the destruction of Nazism would bring forth the so-called "other Germans" to fill the political

[17] Had Marburg's democrats known more American history they might have strengthened their case by reminding their American counterparts of the election of delegates to the state conventions that ratified the American constitution.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

vacuum.[18] But we have seen that Marburg's democrats constituted no reliable group upon whom Americans could depend for future leadership. They were compromised by, and disillusioned with, the methods by which Nazis and Nazi institutions were destroyed and skeptical of the effects to be produced by the new or transformed institutions. Americans suspected them for their disagreements, their vacillations and their interpretation of the adverse effect of the institutional changes. Apparently believing that democrats everywhere instinctively agree on fundamental issues, but failing themselves to distinguish between their own interests and minimum democratic essentials, Americans denied publicly and often that they engaged in "Americanizing" Germany. But late in 1947 and early in 1948 the Hessian military government detachments began a reorientation program the purpose and scope of which leaves little doubt about the Americans' unstated assumptions.

Assessing military government's democratization efforts before 1948, the Hessian Military Governor wrote that they were most inadequate. Seeing the democratization picture "wholly and clearly," the Military Governor and his staff began a reorientation program to bring democracy to the people themselves.[19] The program, including town-hall meetings, public forums, women's clubs, traffic safety councils, junior chambers of commerce, and a long list of other activities, was the new approach (the Hessian Military Governor referred to it as the "road ahead") to the installation of democracy in Germany. According to American representatives and official reports, the purpose of the reorientation program was to make the individual citizen aware of his duties in a democracy, to awaken in the German people and their officials a proper concept of the rôle of the official in the community ("his first responsibility is to serve his people"), to increase respect for the dignity and the rights of the individual, to emphasize human equality, to create a genuine devotion on the part of adult Germans to democratic ideals, to bring about a real and lasting dedication of the German people to peaceful

[18] See C. J. Friedrich, "Military Government as a Step Toward Self-Rule," *The Public Opinion Quarterly*, VII (Winter 1943), pp. 527-41, for the statement that "the destruction of the Nazi sector will automatically revive the other, giving the latter opportunity to fill the vacuum created by the disappearance of the party" (p. 539).

[19] OMG, Hessen, Historial Report, 1948, I, Narrative, pp. 266-98 (mimeographed), OMGUS Papers.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

objectives, and to develop a living and dynamic program of citizen participation in a democracy which would be self-sustaining and self-perpetuating.[20] Again the official American position was that this was not Americanization. Field offices had specific orders not to use the words reorientation, re-education or their German equivalents, *Umerziehung, Umbildung,* and *Reorientierung* in describing the program.[21]

If this was not Americanization it was, in fact, the last determined effort to discover in Germany a group of people whose views would demonstrate the universal appeal of the American democratic image. The removal of Nazis and Nazi institutions, industrial disarmament, and a host of negative military government policies had failed to bring forth new leadership which agreed with American policies—or rather accepted the assumptions upon which American policies rested. All they produced was a vacillating corps of people who claimed to be liberal democrats, but who acted at times like conservatives, at times like Communists, and often like obstructionists. By turning to the grass roots, by encouraging political activity at the local level, by awakening dormant political interests in the villages, the towns, and the cities (Was this the German frontier?) Americans seemingly believed that they could bring into being a democracy based upon man's "natural" political instincts. These "frontiersmen" (the common man) who had had no stake in the existing institutional patterns of Germany could let their instincts guide them. The story of reorientation at the grass roots from 1948 to 1952 is extremely interesting, but we must refrain from giving the details and present the conclusion that, alas, it too failed to unearth the kind of democrat Americans hoped to find.

[20] Samuel R. Combs, "Our Reorientation Mission," a speech delivered at the opening session of the Hesse Reorientation Training Conference, Haus Schwalbach, January 23, 1950 (mimeographed), HICOG Papers; OMGH, Historical Report, 1948, I, Narrative, pp. 288-89; HICOG, U. S. Resident Officer's Handbook (Frankfurt, July 18, 1951, lithographed); HICOG, *The Resident Officer—HICOG's Ambassador in the Field* (Frankfurt, HICOG, Office of Public Affairs, Public Relations Division, n.d.).

[21] KRO (*Kreis* Resident Officer), Marburg, to OLCH (Office of the Land Commissioner for Hessen), Subject: Monthly Reorientation Statistical Report, December 2, 1949, HICOG Papers; OMG, Hessen, to All L & S (Liaison and Security) Personnel, Subject: Reorientation Program in L & S Offices, July 24, 1948, OMGUS Papers; OLCH, FOD (Field Operations Division), Bulletin, Number 14, February 14, 1950, HICOG Papers.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

IV

We come, in conclusion, to the basic question in promoting a revolution on behalf of democracy: What is a democrat and what are the institutions that insure his survival? Must he be a nineteenth century liberal in his economic viewpoint? Or does the situation (in this case postwar Germany) demand Keynesians, neo-Keynesians, or perhaps social democrats? Must he demand decentralization (states' rights) or a strong national government? Must he stress the sovereignty of the people, the importance of public opinion, the necessity of wide publicity for actions of public officials? Or should he accept the concept of rule by a power élite? Must he suspect bureaucrats and civil servants? Or must he be peculiar to the time, place and period in which we find him, always aware of his own imperfection yet fearful of those on his left and his right who seem to speak by special revelation, whether divine, rational, or scientific? A cursory review of nineteenth and twentieth century American and European history suggests the latter. Liberal democrats in different periods, under different stresses, faced with different coalitions of power against them, have always shifted their emphases to meet the particular problems, stresses and coalitions present.

The outside authority that proposes to establish democracy by artificial revolution must answer the basic question noted above in such a way as to attract an indigenous leadership with the will and the power to sustain and perpetuate the institutions that the outside authority creates on behalf of democracy. If it succeeds in doing this, which the United States did not in Germany, it can claim to have promoted an artificial revolution. If it fails to do this the outside authority might as well admit that its accomplishments are based upon the power and force it musters either by coalition and compromise at the ballot box, or by conquest on the battlefield. The effect of the former is likely to be less than revolutionary; the latter is hardly artificial. We have returned to the dilemma in Germany writ large: peaceful means may produce an imperfect end, a "perfect end" requires revolutionary means.

JOHN GIMBEL

HUMBOLDT STATE COLLEGE
ARCATA, CALIFORNIA

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ON THE PREVENTION OF GERRYMANDERING

THE current decennial Census brings up again the possibilities for chicanery in the redrawing of electoral districts. It is sometimes felt that gerrymandering is such an obvious form of chicanery that any political body sincerely desiring to achieve a completely equitable redistricting should have no trouble in carrying out such a purpose. It may, indeed, be possible to proscribe effectively, or at least to avoid, the more extreme manifestations of this art, by laying down rules as to contiguity, compactness, and the like. But whenever the drawing up of the boundaries is left even slightly to the discretion of an interested body, considerable latitude is left for the exercise of the art.

To illustrate with a concrete, though artificial example, suppose a rectangular area, 12 miles from east to west and 6 miles from north to south, which is to elect four representatives, happens to divide politically into nine subareas, each 4 miles from east to west by 2 miles from north to south, with the five areas on the diagonals being predominantly of the Red party, while the four areas in the center of the sides are predominantly Blues, checkerboard fashion. One natural districting proposal is to divide the area by bisecting it both north and south and east and west, giving four electoral districts, 6 miles in the east-west direction by 3 miles north to south. In this case the Reds sweep all four seats. Another equally natural one is to divide the east-west dimension in four, thus yielding four rectangular electoral districts of the same shape as before, except that this time the 6-mile dimension is north-south, while the east-west dimension of each district is 3 miles. Now we find the two parties each get two seats. Yet there is no obvious geometrical criterion for distinguishing one subdivision from the other.

Things are not much improved if we attempt to choose on the basis of the political results. In a system of area representation, it is commonplace that the proportionate majority in the legislature will normally be considerably larger than the proportionate majority of the electorate. But how much larger? For this we have no abstract criterion. If the parties are homogeneously distributed geographically, a slight majority of the electorate can secure all of the legislative seats. However, it is extremely unlikely that any random drawing of the electoral boundaries

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

would produce proportional representation. Thus, while a situation where the minority of the vote elects more than its proportion of the representatives can be considered *prima facie* evidence of gerrymandering, there remains a wide range of results that would at least be compatible with the complete absence of conscious gerrymandering. In the absence of any clear criterion as to what a fair result should be, it is not possible to use the results as a criterion of unfairness in the establishment of electoral districts.

If there is thus no available criterion of substantive fairness, it is necessary, if there is to be any attempt at all to purify the electoral machinery in this respect, to resort to some kind of procedural fairness. This means, in view of the subtle possibilities for favoritism, that the human element must be removed as completely as possible from the redistricting process. In part, this means that the process should be completely mechanical, so that once set up, there is no room at all for human choice. More than this, it means that the selection of the process, which must itself be at least initiated by human action, should be as far removed from the results of the process as possible, in the sense that it should not be possible to predict in any detail the outcome of the process. If this is not done, we may simply transfer the wrangling to an earlier stage and have a fight over which of several alternative processes should be designated, which would be fought not in terms of principle but rather in terms of results in the case at hand. This means that at some stage in the process a random element should be introduced which, while not affecting the general principles that are to be applied, will substantially affect the result in the particular instance, so that legislators in selecting one process rather than another will not be able to base their choice on particular detailed outcomes and will be compelled to base their choice on general principles.

As a somewhat oversimplified picture of what might be done along these lines, we might consider the following procedure. The basic data would be the census tracts with their enumerated populations. The first step would be to draw a particular unassigned census tract at random; call this tract A. The second step would be to determine which of the unassigned census tracts is furthest from A; call this B. Beginning with B, add to B the neighboring contiguous unassigned census tracts in order of increasing distance from B (measured, for example, between the centroids of the tracts) until the population quota has been reached, the population quota being at each stage the ratio of unassigned population to unassigned seats. This, then, consti-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tutes an election district and the process can be repeated beginning with the determination again of which of the now unassigned tracts is furthest from A. If this is C, then a new election district is constructed centered on C and so on.

The purpose of determining B, C, and so on as the tracts furthest from the randomly selected tract A is to insure that insofar as possible the process will not leave enclaves or isolated fringe areas that cannot be amalgamated into contiguous election districts: by moving from the fringe toward the center the likelihood of this happening is made sufficiently small so that on those rare occasions when an enclave does occur, the resulting construction of an election district with non-contiguous parts will be tolerable as a freak for the sake of adhering to the straightforward rule; in any case, the amount of separation that would occur between the parts of the electoral district should not be great. If desirable, it would be possible to insert a rule against the creation of enclaves, simply by stating that if the addition of a particular census tract D to an election district in accordance with the rule of adding them in order of increasing distance from the initial tract for that district, would divide the remaining unassigned census tracts into two (or in rare cases, more than two) non-contiguous parts, then instead of adding D, that census tract shall be added which is not in the same part as tract A, is contiguous with the part of the election district already assembled, and is furthest from D.

It might be felt desirable to add to the random element by specifying that a new drawing of the tract A from among the unassigned tracts should be made each time an election district is completed. This would have the advantage of making the ultimate pattern of districts even more difficult to predict. It would slightly increase the likelihood of potential enclaves, but if these are handled by the anti-enclave provision there should be no difficulty on this score.

In the above no attempt has been made to take account of political sub-divisions such as towns, counties, wards, and the like. It is likely, of course, to be considered desirable to make election districts coincide as far as possible with other political boundaries. It would be simple enough to provide that whenever a tract from a particular ward, borough, village, town, or county has been included in the course of constructing a particular election district, further additions to that election district shall be made only from the corresponding political entity until either the entire entity has been included or the quota has been reached. In addition, it might be considered desirable to provide against minor

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

overflows into neighboring jurisdictions. For example, if at any point the inclusion of the entire political unit, to which the last tract assigned belongs, would not cause the population quota to be exceeded by more than, say, 5, 10, or 15 per cent (the percentage used possibly depending on the rank of the political unit), then the entire political unit may be assigned to the election district in question. On the other hand, if at any point during the assignment process a new political unit is about to be entered and the population already assigned to the electoral district has already reached, say, 85, 90, or 95 per cent of the quota, depending on the nature of the political unit, the political unit is to be excluded entirely from the electoral district, unless the inclusion of the political unit would bring the total population of the political unit closer to the quota than its exclusion. In case of exclusion, formation of the electoral district is to be continued, with the unassigned contiguous tract closest to B among those not in the excluded political unit, until either the quota has been reached or there are no contiguous political subdivisions to be included under the above rule.

This procedure, of course, means that a certain unevenness in the population of the electoral districts is to be tolerated for the sake of making them more nearly coterminous with political entities, but in view of the amount of unevenness that is bound to develop in any case as a result of population shifts between redistrictings the gain may be worth the cost. The possibility that the excesses or deficiencies might cumulate so as to leave an unduly large or unduly small population in the last district to be established is obviated by the process of recalculating the quota after each district is established, in terms of the remaining number of districts and the remaining unassigned population.

Many other procedures could of course be devised having roughly the same characteristics, and the above is intended only as an example, to show that it is possible to establish mechanical rules which will eliminate the element of human discretion almost entirely from the process of redistricting, and which if followed would make gerrymandering virtually impossible. Such procedures should be capable of appealing to nearly everyone as essentially fair, while at the same time the random element is sufficiently large so that it would not be possible to develop any very serious attachment for one particular procedure over another on the basis of estimates as to the particular political consequences of applying them to the circumstances of the moment. Politicians are going to be reluctant in most cases to desist from discreet gerrymandering, but it is just barely possible

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that presentation of a scheme of this kind would develop sufficient support for its inherent fairness to overcome this reluctance.

But while such a scheme may satisfy demands made on it on grounds of political fairness, and thus be acceptable in a *de novo* situation, in an ongoing situation redistricting involves not only the relative political strength of parties in general but the political fortunes of present incumbents. Of course, to the extent that redistricting involves reductions in the representation of one party or the other, either because of the correction of former gerrymandering, or because of a reduction in the total number of seats allotted to the jurisdiction as a whole, this will involve the ousting of some incumbents, over and above what turnover may be caused by shifts in political strength. But the amount of such turnover may be greater under an impersonal redistricting method than under a politically motivated one. To the extent that the demand for minimizing the turnover is legitimate, it is difficult to see how it can be fully met without reintroducing opportunities to gerrymander. A strictly impersonal method would be likely to produce situations where an incumbent finds himself residing in a new district that is strongly of the opposing political complexion; often, though not always, this will be because a previous gerrymander has been undone, and it will be difficult if not impossible to devise rules for determining in which specific cases the complaint is to be catered to, nor what remedy should be adopted if the complaint appears legitimate. In most cases all that can be done non-politically in such cases is to consider the turnover as part of the fortunes of political strife. Politicians, however, are not likely to take such an objective view of the matter, and this may be one very serious obstacle in the way of adopting a neutral scheme.

On the other hand, there are cases where the above redistricting scheme would result in two incumbents residing in the same district. Of course, where the number of districts is being reduced, some cases of this sort are inevitable, but it would be reasonable to require that they be kept to a minimum. It is not too difficult to devise modifications of the above scheme that will accomplish this, at the expense of somewhat impairing the compactness of the electoral districts. However, if the previous districts were seriously gerrymandered, this may allow some of the effects to carry over into the redistricting, though this is likely to be of very small consequence. More serious, it is difficult to devise a scheme which will not discriminate among incumbents as to the likelihood of their surviving as the sole incumbent in their district,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

according either to their being near the center of the entire jurisdiction or on the fringes, or to their being relatively close to other incumbents. It would, of course, be possible to select by lot at the beginning of the procedure those incumbents whose residence location is to be disregarded in drawing up the new districts; this would be likely to further impair the compactness of the resulting districts. But even such a procedure, or indeed any impersonal procedure, is likely to run counter to what may be conceived as a political party's legitimate interest in the political survival of particular incumbents. There are, to be sure, ways of adapting to this situation, as by running the displaced incumbent for another office, or the other legislative chamber, by asking the competing incumbent to withdraw, or even by change of residence. But this difficulty is probably best regarded as one inherent in the practice of requiring a representative to reside in his district, as contrasted with the more flexible British practice.

In summary, elimination of gerrymandering would seem to require the establishment of an automatic and impersonal procedure for carrying out a redistricting. It appears to be not at all difficult to devise rules for doing this which will produce results not markedly inferior to those which would be arrived at by a genuinely disinterested commission. Nevertheless, it is likely to be some time before we put to the test the question of whether incumbents who have a natural interest in preserving an established position can bring themselves to trust their fate to an impersonal procedure, however effective, rather than continue to maneuver in terms of back-room bargaining.

WILLIAM VICKREY

COLUMBIA UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

REVIEWS

The Twilight of European Colonialism: A Political Analysis. By STEWART C. EASTON. New York, Holt, Rinehart and Winston, 1960.—viii, 542 pp. $7.50.

The title of this book gives far too little indication of its wealth of up-to-date factual material on an astonishingly wide range of countries. The book provides the kind of detailed survey of recent developments of which students and teachers are so much in need. What is remarkable is that in an area in which today's news is so often outmoded tomorrow Dr. Easton, who is associate professor of History at the College of the City of New York, has managed to be so topical on such a variety of situations.

Since Africa was the last major area of the world under colonial control, it is not surprising that a great part of the work is devoted to this continent. Since Dr. Easton is concerned with all the colonial territories still belonging to the United Kingdom, Belgium and Portugal in 1959 as well as those associated with France under trusteeship and in the Franco-African Community, it deals, however, with more than Africa. It is especially useful that the Federation of Nigeria is considered side by side with the Federation of the West Indies, that we learn why British Honduras and British Guiana do not yet wish to associate themselves with the latter grouping, and that the problem of providing full independence to an island as small as Zanzibar is seen to be equally relevant to British Borneo, Mauritius, Seychelles and Malta. More tenuous is the connection between the futures of British Somaliland, Hong Kong, Aden, Gibraltar, the Falkland Islands and Cyprus but the very fact of including them all indicates the great care with which the survey has been undertaken.

Dr. Easton breaks away, with advantages, from the area approach to the territories whose developments he describes and treats them in relation to the form of organization they seem likely to adopt—unitary or federal—or to the major issues which hold back constitutional advance—notably lack of size, or the presence of a white resident minority. This approach enables him to point out some instructive parallels and contrasts that might otherwise be overlooked. Although Ghana had become independent before the data he uses for selecting territories to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

be included, Dr. Easton usefully traces its constitutional development as a prototype of the stages through which most British territories advance towards the termination of colonial status. At the end, he characterizes the different types of colonial rule with which his book has been concerned, thereby making explicit what has been suggested in the description of particular situations.

It is not with Dr. Easton's useful presentation of factual material but with his general judgments on the character of different types of colonial rule and, in particular, with his enthusiasm for the French and his censure of the British, that criticisms, or at least differences of opinion are likely to arise. Dr. Easton finds the British patronizing, intuitively "racialist," unready to trust the Africans, slow to respond to pressures, grudging and too slow in extending the franchise and, therefore, whether at home, or resident in Africa, unable to develop a genuine partnership with the native peoples. He feels that France, in contrast, succeeded on the human level by explicitly recognizing the social and economic equality of the African educated classes, and by including Africans in French governmental institutions after World War II, and thereby established bonds with former French African states which are far warmer and probably more lasting than those between the United Kingdom and former British African territories. This positive evaluation of French accomplishments at least provides a useful corrective to hasty generalizations about the undoubted superiority of the British preparation of their territories for independence. It should be remembered, of course, that the French never consciously aimed at the full independence and separate international status for their African territories which the latter have now insisted on having. It is too soon to know whether the contemporary Community will retain closer bonds than the Commonwealth. But where Dr. Easton is apt to push his point of view too strongly is in providing the French with the benefit of every doubt, even over their abrupt withdrawal from Guinea (Algeria lies outside his frame of reference), and the British with the benefit of none even where, as in Tanganyika, multi-racial coöperation is at least as promising as any place in Africa, if not more so.

Whatever divergences there may be in interpretation of motives in particular situations, Dr. Easton's book is warmly to be welcomed as the most comprehensive collection of current political information on the recent political evolution of African and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

other colonial territories. He recognizes that events will soon outstrip his story of developments but it should long remain useful to anyone concerned with one of the greatest and most significant of modern movements: the drive for independence.

GWENDOLEN M. CARTER
SMITH COLLEGE

On Alien Rule and Self-Government. By JOHN PLAMENATZ. New York and London, Longmans Green & Co., 1960.—viii, 224 pp. 21s.; $3.75.

This thoughtful and searching work merits careful reading by persons concerned with the problems of political transition in the Afro-Asian world. The approach is theoretical, not areal, and it is this focus which makes the book a significant contribution to the literature on colonial and former colonial areas. Mr. Plamenatz has advantages which many area specialists do not have. In earlier works he has probed into political phenomena in both developed and underdeveloped societies. And he is unfettered by an ideological identification with either "colonialists" or "nationalists."

Although the author states that his purpose is to bring clarity to the broad issues involved in the disputes between the colonial powers and their subjects, the chief aim throughout is to clarify certain assumptions regarding the relationship between newly won independence and the establishment of liberal democracy. His treatment of the criteria for self-government, the arguments for and against continued colonial rule, and the appeals of Communism and authoritarianism are ancillary to that aim. His basic working assumption is that Western liberal democracy is the best alternative of the known political systems.

Since the author deals with guidelines of action during the process of decolonization, it would be worthwhile to state some of them briefly, particularly since events in the Congo may be indicative of what could happen in other parts of Africa. If an independent state with capacity to produce liberal democracy is the objective, then, Mr. Plamenatz admonishes, the colonial powers (who bear the main responsibility) should encourage the growth of political sophistication by tolerating opposition and should transfer executive and legislative powers more rapidly than administrative and judicial powers. In multiracial territories, such as Kenya, the ruler should aim at securing equal rights for the Africans. On the other hand, nationalists should

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

prevent extremists from capturing power, and once independence is gained they should not jeopardize liberal democracy by adopting authoritarian methods to promote material prosperity and literacy.

It is the last point which most preoccupies the author. Africans and Asians often advance this proposition: "*First* raise productive and material well-being and abolish illiteracy, doing whatever needs to be done to these ends, and *afterwards* set about establishing freedom and democracy . . ." (pp. 138-139). It is often argued that strong leadership, the monolithic party, and the skirting of parliamentary procedures and civil rights are temporarily expedient in order to secure a strong state which can produce "progress." These are such convincing arguments that they have accreted into the thinking process of some political scientists. But Plamenatz is skeptical and he issues a cutting observation: history gives no example of a nation which *first* gained economic prosperity and a strong centralized government and then *afterwards* gained democracy and freedom.

It may be argued that Mr. Plamenatz expects too much, that he does not consider all the serious obstacles to the formation of liberal democracy in the new nations, and that he does not consider the possibility that countries like Ghana and Indonesia may form their own political systems which are neither authoritarian nor "liberal" democratic. Most Africans and Asians, at least, have reiterated their faith in democracy and they are striving to establish the egalitarianism long deprived their people. In any event, it may be that strong leadership and the monolithic party are not, as the author suggests, incompatible with democracy. It is even possible that a puristic adherence to liberal democratic practice at this stage of transition may weaken, rather than strengthen, the chances of firmly establishing democratic institutions. We shall have to wait and see, but in the meantime the points raised by the author should be kept in mind.

The author is most provocative when he deals with the Communist challenge. He notes that the West errs in viewing Communism primarily as a military threat; consequently, in supporting pro-West, but unpopular, ruling élites, we drive popular movements toward Communism. We will not, he reasons, be safer from Communism the more the new nations are ruled by pro-West governments; we will be more secure when these nations have liberal and democratic governments and/or are willing to guard jealously their independence. Thus, the West must not exert itself *against* Communism but *for* making "freedom and

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

democracy realities outside the West." We should not seek quid pro quos. Nor should we be alarmed when new nations receive economic assistance from Moscow: this aid might better equip them to parry all foreign intrusions. In sum, the reader is asked to re-evaluate his assumptions about the nature and implications of the Communist challenge.

Mr. Plamenatz concludes that non-authoritarian Western and "colored" countries should join in a non-military "International Authority" (outside the UN) to deal with the economic and political problems of colonial and former colonial societies. There is much to take issue with here, but we can share the author's hope that the United States will not dissipate its energies in the "cold war," but will deal effectively and *consistently* with the international problems implicit in decolonization and incipient independence.

This reviewer, who by no means has covered all the major points of the book, had hoped that the author would deal with the relationship between cultural environment and liberal democracy. Since the liberal democratic state is a product of Western culture, to what extent can non-Western states absorb Western political and legal values? For example, are Islam and liberal democracy incongruous? Does African and Asian nationalism impede effective cultural transvaluation? I had also hoped to find a broad consideration of the economic, anthropological, and sociological materials which elucidate the problems of political transition in non-Western societies. But despite these (and other) omissions and despite the author's heavy, discursive style, the book provides sound intellectual fare.

A. A. CASTAGNO

QUEENS COLLEGE, NEW YORK

Ceylon: Dilemmas of a New Nation. By W. HOWARD WRIGGINS. Princeton, Princeton University Press, 1960.—xiii, 505 pp. $10.00.

Nineteen hundred and sixty will probably go down in history as the year in which Western colonialism collapsed in its last stronghold. Few foresaw that Western imperialism, that strange and powerful force of modern history, would come to such an early and sudden end in Africa. Liberals in the West wished to see colonialism terminated as soon as possible and most of them seemed to think that the grant of independence to colonial territories would be a boon to their inhabitants and remove one of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the chief sources of world tensions. These expectations are not being realized.

That colonialism had reached a dead end in Asia had become clear in World War II but the drafters of the United Nations Charter apparently believed it still had some time to run in Africa and Oceania. They gave an important place in the Charter to the problem of non-self-governing territories and set up a Trusteeship Council as one of the principal organs of the United Nations. The provisions of the Charter devoted to the problem of non-self-governing territories reveal that the drafters believed that sound preparation for independence was fully as important as an early termination of the colonial status, but in the implementation of the articles dealing with dependent peoples the emphasis was not on preparation for self-government but on a speedy liquidation of colonialism everywhere. In view of the political structure of the General Assembly this was inevitable. With the Communist bloc as a sure nucleus and with the increasing number of members just or recently emerged from dependent status, the anti-colonial sentiment became steadily stronger. The Charter Fathers did not foresee that within a relatively short period colonial powers would precipitately abandon their responsibilities, leaving behind domestic chaos and new areas of world tensions.

This is not to argue that colonial governments had anything more to offer the peoples they ruled. The new world climate had made it impossible for colonial governments to be effective even with the best of good intentions. Now Western colonialism is dead, but the tasks which it should have accomplished remain woefully unfinished in nearly every former dependency. National independence solves none of the basic social and economic problems with which the dependent peoples are beset; it merely transfers the responsibility for solving them to the politically immature, administratively inexperienced and economically underdeveloped inhabitants, and this in a swiftly moving, complex and ideologically-riven world.

From the point of view of decolonization Ceylon is an interesting object of study. It moved from dependent status to national independence so gradually and with so much good will on the part of the former rulers that the shift was made with little awareness of the process on the part of Ceylon or the world. Moreover, for an Asian country it has a high per capita income—nearly two and a half times as high as that of its neighbors, India and Burma —and its literacy rate is considerably higher than that of its

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

South Asian neighbors. In the first decade all went well; but then came the explosion. It is understandable that countries which had suffered the demoralization of Japanese occupation or had to resort to violence to win independence and had to endure a civil war in the process should be bitterly anti-Western, neutralist and Marxist in their thinking and have difficulty in achieving political stability. Ceylon experienced none of these evils, yet a decade after independence its situation and attitudes differed little from those in Burma or Indonesia. What is the explanation?

Though Wriggins does not put it in quite this form, that is essentially the question to which he seeks an answer. The countries of South and Southeast Asia are all seeking the means for independent statehood and are searching for a "viable political society." "At the risk of imperfect intellectual precision and synthesis," writes the author in his Introduction, "it has seemed preferable to develop an inclusive view of one of these new states. It is hoped that a detailed analysis of one political community—a microcosm—will assist in understanding other Asian countries."

Wriggins thoroughly examines every phase of Ceylonese life—historical, economic, social, cultural and political. Bitter communal and religious strife, control of important segments of economic life by foreign capital, heavy dependence upon a few major export crops, low levels of living, a dense population increasing so rapidly as to neutralize heroic efforts to improve living levels; all these are found on this small, crowded island and probably are enough to explain Ceylon's difficulties. Wriggins' analysis is thorough, so thorough as to be somewhat repetitious, and he makes many acute observations, yet the reviewer feels that significant factors have either been insufficiently emphasized or left untouched. Wriggins does not sufficiently take into account the social implications of Buddhist thinking. That an Asian people emerging from a long period of Western rule should seek to rediscover and reassert its ancient values is understandable, and we expect this search to be accompanied by considerable confusion. Moreover, Ceylon like most of the new states, started as a democracy when it had not yet achieved national unity. Democracy in this kind of a situation can be very divisive and even explosive.

If Wriggins has not given a completely satisfying explanation of what is taking place in the young states of Asia and Africa he has made the best analysis and given the best explanation for one country that the reviewer has yet seen.

UNIVERSITY OF KENTUCKY AMRY VANDENBOSCH

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Race and Nationalism: The Struggle for Power in Rhodesia-Nyasaland. By THOMAS M. FRANCK. New York, Fordham University Press, 1960.—vii, 369 pp. $6.75.

The Federation of Rhodesia and Nyasaland is one of the great ironies of the African political scene today. In 1961, when African nationalism has triumphed on the continent in almost a score of countries, the European political leaders of the Federation are engaged in trying to stop the African political clock, or, indeed, to turn backward. Like many other areas of Africa the Federation is seeking independence—but the independence that is the goal of the European minority is not that sought by the African majority.

In many ways the experiment of the Federation was doomed to failure at its inception. Conceived by Europeans over the violent objections of the African population, it would have taken all the skill and tact possessed by the European leadership to convince the African that there existed a real possibility in Federation for mutual benefit. But, as Professor Franck's volume amply shows, European actions since the inception of Federation seem to have been designed to prove that the African's attitude was fully justified. "Partnership," the corner stone upon which the Federation was to be built, has become a hollow mockery. Chapter by chapter, Professor Franck marshals the overwhelming evidence of the failure of the European to provide opportunity for African advancement to those common standards of civilization which the white politicians have repeatedly posited as the goals of federation.

The Africans of the Rhodesias and Nyasaland have witnessed in the past year the advance of millions of their fellow Africans to new political responsibilities and fresh economic opportunities through their successful struggle for independence. African nationalism in the Federation is no different from that found elsewhere on the continent, except that instead of opposing a colonial government in Europe the struggle in the Federation is against an entrenched minority that is itself engaged in a continuing effort to wrest control from the British colonial office. The author quite correctly emphasizes the inroads made by the ceaseless pressure of the Federal government on the remaining constitutional powers which could be exercised by the British government and on the powers left to the territories by the Federation agreement. From the European standpoint, the Federal government is the best available instrument for maintain-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing the European position since, by manipulation of the franchise, European control over the major areas of policy affecting African advance can be kept.

In an otherwise excellent book, Professor Franck fails to deal adequately with African political organization aimed at removing the barriers created by federation. Admittedly no book on African politics today can hope to deal with current changes but it would nevertheless have seemed advisable to mention the United National Independence Party of Northern Rhodesia and the National Democratic Party of Southern Rhodesia in the context of political events in 1960. The African National Congress, suppressed in Southern Rhodesia and blunted by ineffectual leadership in Northern Rhodesia, has not been the spearhead of African political pressures that it was designed to be. But the European leadership has, by its failure to understand the forces represented by ANC, brought about the formation of nationalist parties which are far more radical in their demands than ANC ever was. At the time of writing Professor Franck expresses the opinion that it was (as of March, 1960) not too late for the Europeans to reverse the trend. In this reviewer's opinion, in the months since Professor Franck wrote, time has come much closer to running out. The July riots in Southern Rhodesia were only an indication of what is yet to come unless European attitudes are radically altered—and recent reports from London on the constitutional talks do not appear to indicate that such is the case.

Professor Franck's volume is an objective and scholarly account of what has happened to partnership in the Federation today. Europeans in the Federation complain that "no outsider can really understand our problems." It is all too easy to belabor the white settler for his recalcitrance, but it is still difficult for the average visitor to understand how it is possible for Rhodesian Europeans to shut their eyes to facts which, if they remain ignored, mean eventually the total destruction of the European position amid an atmosphere of bitterness and violence. The tragedy of the Federation will not, however, in the long run be primarily the defeat of the settler. As Professor Franck puts it in his conclusion, "It would be that of Western Civilization and of the Africans, for they, and we, will have missed the best and perhaps last opportunity to build . . . *real* partnership."

L. Gray Cowan

Columbia University

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Austrian Catholics and the First Republic: Democracy, Capitalism, and the Social Order, 1918–1924. By ALFRED DIAMANT. Princeton, Princeton University Press, 1960.—xii, 325 pp. $6.50.

In 1961, when Austria appears to be turning into another Switzerland—prosperous, stable and smug—we may forget that less than a generation ago civil war raged in the streets of Vienna and that the republican democracy established on the ruins of the Austro-Hungarian monarchy was forcibly replaced by an experiment in "Christian, corporative, and authoritarian" government. Professor Diamant now provides us with a conspectus and analysis of the ideological strands which lay behind the historical development culminating in the "Dollfuss Constitution" of 1934.

Unfortunately the author did not make up his mind whether his purpose was to analyze a body of political theory or to write a *Geistesgeschichte* or to examine the rôle which Catholic thought played in the downfall of Austrian parliamentary democracy. In failing to choose among these alternatives or, rather, in deciding to include them all within his compass. Professor Diamant has produced a study which, while acquainting the reader with a mass of little-known, hardly accessible, and frequently interesting material, is lacking in focus and coherence. Above all, he does not answer the central question: Does he consider Catholic theory a genuine historical force significantly influencing the trend toward dictatorship in Austria, or does he look at it merely as an intellectual exercise by Catholic litterateurs providing convenient ideological tools to be used by the real power holders who wished to destroy Austrian democracy for purposes unrelated to philosophical principles? Whenever Professor Diamant directs his attention (all too superficially) to these power holders and decision makers in the Catholic camp, he emphasizes the opportunistic, unprincipled basis of their actions. Thus he states that "the industrialists gained control of the Christian Social Party, and forced on the party an economic and social program favorable to big business and industry" (p. 92).

With regard to the political leader of Austrian Catholicism, the author is "led to wonder whether Seipel's ideal society amounted to more than a military dictatorship in which the church and the capitalists would enjoy unlimited power" (p. 253). And Dollfuss, the destroyer of parliamentary democracy in Austria, is characterized as a person whose "references to corporative and general Catholic social principles were motivated by

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

practical political considerations" (p. 193). If we grant the validity of these judgments, it becomes difficult to understand the reason for extensive analysis of Catholic thinkers like Seipel (and many less important figures) or the basis for the author's repeated emphasis on the shaping influence of Catholic theory on institutions and events. To this reviewer it appears contradictory to state, on one hand, that "Catholic politicians simply picked out whatever seemed the most effective anti-republican and anti-democratic argument" (p. 193), and, on the other, that "Romantic authoritarian ideas played a prominent role in fixing the character of the 1934 document" (p. 279).

In order to deal with a body of political doctrine the author must be expected to take it seriously, to involve himself emphatically with its premises and preoccupations, however critical he may be of its tenets. He seems to lack this critical sympathy and concern. The "respect for the perspicacity of the Catholic social critics" which he avows in his Epilogue (p. 289) is not much apparent in the body of his work. Furthermore, Professor Diamant appears to criticize Catholic thinkers from a shifting basis, variously bestowing praise and blame for similar positions or attacking them when they oppose each other.

One must agree with Professor Diamant that much Catholic thought was hopelessly unrealistic in attempting to find solutions to problems posed by modern, complex, multi-group society in a return to medieval forms appropriate perhaps to a pre-industrial age. Yet it seems somewhat unfair to disparage Catholic theory for failing to produce a coherent set of concepts and institutions appropriate to the twentieth century when no other political theory (including Marxism and liberalism) has succeeded in doing so. However inadequate (and even dangerous to liberal values) Catholic positive suggestions may have been, a theory which consistently has focused on the profoundest problems of industrialized mass society—megalomania, atomization, anomie, commercialization, class frictions—deserves more magnanimous exposition and analysis than it has received from Professor Diamant.

KURT L. SHELL

HARPUR COLLEGE

German Electoral Politics: A Study of the 1957 Campaign. By U. W. KITZINGER. Oxford, Clarendon Press; New York, Oxford University Press, 1960.—xvi, 365 pp. 45s.; $7.20.

In his preface the author claims to be "innocent of statistical method and sociological techniques." He adds that his book,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which continues the series of Nuffield election studies; "sets out to be no more than one observer's very personal impressions corroborated or modified by the observations of colleagues with more detailed knowledge of the campaign in certain areas."

This personal approach has its advantages. Mr. Kitzinger is clearly interested in the broader implications of his subject. In fact, the reader is left with the impression that, without yielding to the temptation to digress, he may have been a little irked by its limitations. As a result, an admirably clear, live and thorough account of the electoral campaign is set within a broad framework, which greatly adds to its interest and significance. Within the limits imposed by the subject, this is one of the best political studies of the German Federal Republic that has so far appeared.

Its main appeal, so far as non-Germans are concerned, will be to the specialist, though it will also be of considerable value to Germans engaged in politics, especially to party organizers. The blurb tells us that "the book ends with a brief appraisal of the prospects for German democracy to-day." The appraisal unfortunately is confined to a few paragraphs, the substance of which, according to a footnote, had already appeared in an article in *The Spectator* in September, 1957. It is a pity that Mr. Kitzinger's wise and penetrating observations cannot be made available in an expanded form to a larger audience than this volume is likely to reach.

In fact, the one criticism of the work that must be made is that the author is too reluctant to draw conclusions from the excellent material that he has assembled. For example, he makes clear the great advantages possessed in the election by Adenauer's Christian Democratic Union, compared with the other parties, not only owing to the large funds that were available to it from direct donations and "sponsors' associations," but as a result also of what he describes as the "parallel campaigns" of quasi-official organizations and of the activities of government departments. Yet he does not commit himself to any judgment on the point. He writes that "in general the CDU audiences were well under control; where there was heckling, even of a reasonable kind, it was quickly suppressed" (p. 271). But he does not react to the alarming implications of the statement. He clearly realizes the autocratic exclusiveness of the Social Democratic Party's *Apparat* but is content to say that he has no intention of adding to the "gratuitous and patronizing advice" already given to the party by foreign observers (p. 126).

The key question as to how, in the light of its past record, the SPD can ever hope to form a government is not dealt with

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

systematically. However, in this case two important clues are given in the separate references toward the end of the book to the party's special success among young voters in the cities and to the need for new and attractive personalities, like Willy Brandt, as leaders.

In such a study Mr. Kitzinger was largely justified in maintaining a scholarly balance and detachment. But any observer of the 1957 elections who had also studied Hitler's Germany as an observer could hardly have remained quite so detached. What is more, the small minority in West Germany, who are the effective champions of the democratic cause, would have benefited from the expression of a few more personal conclusions by such an impartial judge.

RICHARD HISCOCKS

THE UNIVERSITY OF MANITOBA

France, Troubled Ally: De Gaulle's Heritage and Prospects. By EDGAR S. FURNISS, JR. Published for the Council on Foreign Relations, by Harper and Brothers, New York, 1960.—xiii, 512 pp. $5.75.

No part of Europe—indeed, no segment of the entire globe—has undergone such careful and repeated scrutiny as postwar France. Luckily for those who are concerned with French affairs, the nation is sufficiently complex and contradictory to bear such continuous analysis without producing utter boredom among specialists and readers alike. For political scientists and journalists of our day, France has come to resemble Freud's favorite subject, always ready for the couch and always sure to yield new insights into human character and behavior.

In recent years, most broad surveys of contemporary France have been the work of journalists; political scientists have been inclined to select some limited aspect of the nation for deeper probing. Professor Furniss' book is a welcome exception. His study, though focused primarily on French foreign policy, ranges widely through political, economic, military and colonial issues as well, and seeks to put into perspective the whole postwar period from 1944 to the present. The core of the book, however, is devoted to the declining years of the Fourth Republic from 1954 to 1958. The task is accomplished soberly, accurately and thoroughly; if the work lacks some of the provocative insights of essays like Luethy's *France Against Herself* and Aron's *Immuable et changeante,* it supplements such studies by

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

providing a solid, balanced, well-documented survey of an exceptionally complex era.

This is not to suggest that Mr. Furniss offers no judgments of his own, or that he writes with the aseptic pen of the professional encyclopedist. Through the book runs an undertone of restrained but consistent criticism of French leadership and of Frenchmen in general, combined with occasional thrusts at American policy makers for expecting too much of a permanently weakened France. Few Frenchmen are spared the author's severe or ironic judgments—not even those perennial American folk-heroes, Mendès-France and De Gaulle. The typical French intellectual is described as "a cynical bystander," with no real influence in politics. The ordinary Frenchman distrusts governmental authority, yet longs for a strong man created in his own image. The politician habitually issues "clarion calls to opportunism in the name of principle." The Fourth Republic, in reconstructing the nation's war-torn economy, "strengthened rather than weakened obsolescent . . . elements." The Common Market, superficially a major success for France, was in fact "a brilliant failure." The loss of French Africa impends because the French seem unwilling to grant real independence. The future is, for partisans of French grandeur, a dismal one: "viewed in the perspective of relative international prestige and power . . . [France's] path leads unevenly but inexorably downward."

Much of what Mr. Furniss has to say has the astringency of truth. I myself am inclined to think, however, that his account is a bit one-sided. One can, in good conscience, make a better case for the constructive achievements of Frenchmen during the Fourth Republic. Already events seem to be undermining Mr. Furniss' somber judgments of the Common Market and the prospect for a community of independent states in French Africa. As for the charge that American policy makers have consistently nursed illusions about France's restoration to great-power status, and have encouraged the French in their quest for grandeur, the evidence strikes me as very shaky indeed. On the other hand, the general conclusion that France must somehow adjust to a reduced status in the world—to a European rather than a world-wide rôle—does seem inescapable.

Mr. Furniss has given us a first-rate book—one that Frenchmen as well as Americans might read with profit.

GORDON WRIGHT

STANFORD UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Contemporary Theory in International Relations. Edited by STANLEY H. HOFFMANN. Englewood Cliffs, N. J., Prentice-Hall, 1960.—x, 293 pp. $4.95.

This book presents a sampling of theoretical writings on international relations during the last fifteen years. It differs from the usual collection of readings, however, in the nature of the editor's contribution. Professor Hoffmann's commentary is extensive, and he is often highly critical of his own selections. In effect, the editor has used his selections from others' writings as a backdrop for a statement of his own theoretical position. The result is a rather stimulating volume.

One finds here excerpts from most of the best-known "approaches" to international relations theory, including the "realist" position of Hans J. Morgenthau, Morton Kaplan's "systems analysis," George Liska's equilibrium theory, the "decision-making" schema of Richard C. Snyder and his collaborators, Arnold Toynbee's philosophy of history (as interpreted by Kenneth Thompson), and mathematical models, surveyed in an article by Jessie Bernard. All of these come under heavy editorial fire. Hoffman looks most favorably on the writings of Raymond Aron and Arnold Wolfers.

Out of the editor's "wrecking operation" on other peoples' theories, his own point of view emerges, although it is blurred by an undue amount of fence-straddling, and by vagueness at certain critical points—for example, the nature and rôle of "normative" theory and its relation to "empirical" theory and "policy science." Hoffman argues for a "general empirical theory" which might supervise and harmonize all "partial" approaches and make their contributions relevant. As he sees it, such general theory, at this stage, should take the form of a "conceptual framework which asks relevant questions," rather than a premature attempt to build over-all "explanations" or models. The latter can come only after many more partial explanations have been accumulated by historical research.

The editor suggests two directions for future research: one empirical, which he calls "historical sociology"; the other normative—the construction of "relevant utopias." Historical sociology would first analyze various historical situations in terms of four series of questions, concerning (1) the structure of the international system, (2) the forces (technological, military, economic, ideological, and so on) which cut across, or operate within, the basic units of the structure, (3) relations between the domestic and foreign policy of the basic units, and (4) the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

outcome of the interaction between all these factors. Next, it would compare several historical systems, in order to define types of systems and arrive at generalizations about aspects common to many systems. Finally, comparisons would be made between domestic political systems and international ones. Only by such historical empiricism, the editor claims, can any valid "laws" or regularities be obtained; deduction from "abstract hypotheses" is fruitless, and empirical research directed only to the contemporary world enourages the error of "generalizing from the experience of one system."

Empirical research should be combined with the search for "relevant utopias," Hoffmann says. This proposition stems from his belief that the theoretical scholar cannot divorce his research from his personal value preferences, and that he has in fact a duty to "challenge the existing order."

Hoffmann sees many difficulties and pitfalls on "the long road" toward the development of adequate theory. He is so impressed by the variety and complexity of the subject matter that he fails to appreciate the possibilities for building useful simplifying models on a few of the most important variables—such as the universal desire for security against military attack. However, he has made a valuable contribution to the literature.

GLENN H. SNYDER

UNIVERSITY OF DENVER

Nationalism: A Religion. By CARLTON J. H. HAYES. New York, The Macmillan Company, 1960.—vii, 187 pp. $5.00.

Nationalism. By ELIE KEDOURIE. New York, The Humanities Press, London, Hutchinson & Co., Ltd., 1960.—151 pp. $4.50.

The many who have read the works of Carlton Hayes will recognize, in large part, and value greatly the mature reflections in his latest book. They will do so because what Carlton Hayes has written about nationalism has in no small part formed our understanding of the most significant of modern social movements. Hayes is a master of the subject. He has also been a master teacher. His many students know, as does the writer of this review from personal experience in his seminar, of the wealth of his imagination, of his massive knowledge, and of his willingness to share both with those who, by hard work and disciplined thinking, deserve to share them. What he has written and what his students have written bulk large in the literature of nationalism. More important, what he has taught in his

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

classes, seminars, books, and articles (and what his students have likewise done) has determined or at least influenced the concepts, the qualifications, the questions, and the approach of nearly all American and most other serious students of nationalism.

Carlton Hayes, the professor to many of us, began his study of nationalism over forty-five years ago. His *Essays on Nationalism* (1926), his *France a Nation of Patriots* (1930), his *Historical Evolution of Modern Nationalism* (1931) described, analyzed, and classified the phenomena of the historical "fusion of patriotism with a consciousness of nationality" as this had not been done before. No serious student since has been able to study or write on nationalism without reading Hayes, and most other scholars, whose studies are worth consideration, have first of all had to follow Hayes, or explain to themselves, if to no one else, why they did not.

This reviewer has not always followed the master. He does not always agree with the conclusions in this *précis,* this "brief summing up" of what Hayes has learned in a lifetime of intense, devoted, and intelligent study. Does, for example, language play as significant a rôle in the formation of nationalistic sentiment as Hayes believes it does? Do traditions play, as Hayes believes they do, a second rôle? Again, nationalism is a religion, as Hayes so cogently argues here, but when this is accepted, do there not also exist differences between religion and nationalism? Is the analogy in the brilliant concluding chapter of this book carried too far? But when this reviewer or other students of nationalism disagree with Carlton Hayes they must meet him on the solid ground of evidence and logic. Woe to him who cannot.

The master's modesty leads him to entitle his preface, "A Personal Apology." The title might aptly be, "Testament of a Scholar." The book itself summarizes, with the clarity and insight associated with the name of Hayes, both his own work and that of his students. It might almost be called a *Festschrift* by Hayes for his students whom he so generously cites. But it is impossible to determine when Hayes is relying, and modestly so saying, on the work of his students and when he is writing out of the vast store of knowledge which he has shared. So much does the work of the students stem from the thinking of the teacher that the books of the students are often and correctly footnotes to the works of Hayes. And the students, their names might be Barzun, Wuorinen, Pinson, Hyslop, or Langsam and sixty more, though they may differ, or go beyond, or to other subjects, owe their inspiration and in large degree the shape of their discoveries

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and the quality of their thought to the seminars and the conferences they had with the professor in Fayerweather Hall or elsewhere on Morningside Heights.

The title of the other volume under review is *Nationalism.* Some of it is about the subject but those who pick up the book thinking they will learn much about nationalism will be disappointed. The book does not reveal that the author has read the authorities or that he knows what nationalism means. When he writes in his opening sentence that "Nationalism is a doctrine invented [sic] in Europe at the beginning of the nineteenth century," he may be only partly wrong as to the time but he reveals inadequate understanding of the historical development of the sentiment. Would that he had read the works of Hayes and his students!

BOYD C. SHAFER

WASHINGTON, D. C.

Governing New York City: Politics in the Metropolis. By WALLACE S. SAYRE and HERBERT KAUFMAN. New York, Russell Sage Foundation, 1960.—xviii, 815 pp. $8.50.

There have been many books on the governments of particular metropolitan centers. London, Paris, Berlin, Moscow, Chicago, Los Angeles, Washington, D. C., and others, have been the subjects of special monographs, but there has been no book quite like this one. Mostly these other works have presented the historical background of the metropolis studied and have then gone on to outline the governmental structure or organization of the place and the alleged defects that have appeared therein, with suggestions for reorganization.

This book contains a little of these approaches, but its main thrust is in the direction of presenting government as a continuing process, a process in which leaders, officials, and voters make concessions to meet the demands and pressures that arise continually from various groups of people for changes in urban policies and services. So great is the emphasis on the process of government that the authors have felt it wise to provide a separate description of the structural elements and complexities of government within the city. This is done in Appendix C, Governmental Organization within the City of New York, pages 754-789, by Professor Robert H. Connery. In this we not only see the integration of the many parts of the City's government, but also get a glimpse of certain state and interstate agencies like the Port of New York Authority and the Interstate Sanitation

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Commission that operate in the city and also in areas well beyond the city limits. There are also select bibliographies throughout the book.

The nineteen chapter headings of the book, both in outline and in contents, suggest the general organization of a play. The four chapters in Part One are a prologue to the action. In them one gets just a touch of historical background, a glimpse of the prizes men and groups seek in the struggle for public positions and policies in the city, the general identity of the groups and individuals who are the *dramatis personae* that compete for the prizes, and the informal and formal rules of the contest.

Part Two, in three chapters, constitutes Act One of the play. In it the players compete for nomination and election to public office, and for appointments to the non-elective posts. Those defeated in these contests do not completely retire from the stage, but continue as citizen leaders in unofficial capacities to press for what prizes in the form of public policies and services may still be achieved by the groups they represent.

The eleven chapters of Part Three comprise the remaining acts of the play. The continuity and unity of the action are here unavoidably a little blurred, because the actions take place on various stages, before different public bodies, and with shifting casts of characters interacting with each other. Separate chapters portray what goes on in the line agencies like fire, police, health, and education; in special authorities; in overhead agencies like the departments of law, budget, city planning, and civil service; in the unofficial but recognized organizations of employees like teachers, police and firemen, and various employees' unions; among party leaders and organized citizen groups; in the courts, the City Council, the Board of Estimate, and the Mayor's office.

Part Four, the epilogue, a single chapter (xix) entitled Conclusions, summarizes the characteristics of the city government as a whole, with considerable emphasis on the dangers inherent in having so complex and multicentered a system. It also presents a brief list of changes that have been suggested for improving it. The authors themselves, perhaps wisely, refrain from proposing any sweeping changes, but they do come out for further strengthening the hand of the Mayor and that of the City Administrator under him, as proposed in 1953-1954 by the Josephs Commission. In general they feel that, along with certain defects, New York City's governmental system as a whole has certain "democratic virtues: its qualities of openness, its commitments to bargaining and accommodation among participants, its receptivity to new

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

participants, its opportunities for the exercise of leadership . . ." (page 738).

This is a big book as befits a big city. It is also a path-making work, a splendid demonstration of how the study of politics and government as people in the process of doing things can throw light in places and on problems that no merely structural approach can reach. New Yorkers now have a unique and highly informative guide to the intricacies of the political process and personnel in their city. Every other large city needs something of the same kind.

WILLIAM ANDERSON

UNIVERSITY OF MINNESOTA

The Enlargement of the Presidency. By REXFORD GUY TUGWELL. Garden City, Doubleday & Company, 1960.—508 pp. $6.95.

Surveying the enlargement of presidential powers and functions since Washington's time, and appraising all those who have held the executive office, Rexford Tugwell concludes that, as it is now constituted, the Presidency has very nearly reached the limits of its growth, and that in any event it is already too big a job for any single person to handle, regardless of his competence or the administrative assistance available to him. Without some sort of "radical breakthrough," says Tugwell, the Presidency will not be able to meet the future demands of American and world leadership. His suggestion is an enlargement of the office itself through the establishment of a plural executive.

Although Tugwell is ultimately concerned with the adequacy of the institution, his book is devoted primarily to commentaries on the men who have filled it. Organizing his voluminous materials chronologically rather than functionally, he presents a series of presidential portraits, noting the contributions which each incumbent has (or has not) made to the development of the office, and evaluating each President's performance by reference to whether or not he enhanced its authority, maintained its dignity, and administered it competently.

Those who best meet these Tugwellian tests are Washington, Jackson, Lincoln, Wilson, and Franklin Roosevelt, with Polk, Cleveland, and Theodore Roosevelt not far behind. Jefferson's negative political philosophy clouds his positive presidential activity, John Quincy Adams and Hoover are noted for their administrative abilities, and the rest of the list tapers off into the oblivion of incompetence, with Taylor, Fillmore, Pierce,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Buchanan, Grant, and Harding bringing up the rear. In all, Tugwell finds only a dozen Presidents who were worthy of the office; most of the others (including virtually all the Republicans) demeaned it, in his view, through their negative conception of its powers and functions. Little space is devoted to the two latest Chief Executives, but the author, with a conspicuous lack of objectivity, reserves an especially ignominious place for Harry Truman, under whom, he maintains, the Presidency was "at a lower point—although for different reasons—than it had been even in the Harding Administration," and whom he passes off, along with Eisenhower, as having "not the remotest chance of being listed in the future as among the more competent Presidents."

Tugwell's principal purpose in appraising the Presidents is to reveal the ever growing, and, in his opinion, the already impossible, burden of the Presidency, and thus to argue for a radical alteration of the institution itself. If the problem is stated clearly, however, the proposed solution is not, since the author fails to discuss his "plural Presidency" recommendation in any detail. It might well require another book, as he points out, to review the difficulties which so basic an institutional change would present, but in any event there are at least three reasons for rejecting such a proposal: First, the American political system does not provide the necessary base for a cabinet-type government, primarily because it lacks cohesive, policy-oriented national parties, each committed to a program and led by a definite group prepared to assume executive power collectively. Second, a more efficient Presidency will not necessarily result from having more "presidents"; on the contrary, the opposite is likely to be the case. The problem is essentially qualitative rather than quantitative, a competent and properly organized Executive Branch being more important than an increase in the number of executives. Third, whether or not the modern Presidency is an "impossible" job, there is no realistic alternative under present conditions to strong and centralized executive leadership. Indeed, what Tugwell's own exposition of presidential history demonstrates most clearly is the indispensability of *a* President—an identifiable symbol of national unity, an effective generator of governmental action, and a definite focus of democratic political responsibility—during critical periods. The problem which Tugwell presents is a serious one, since the existing system does not guarantee competent leadership when needed, but it will not be solved by depriving the Presidency

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of that singular form which constitutes an essential element of its strength.

If Tugwell's concluding suggestion is unacceptable, however, his presentation of the Presidency's development and his account of its contemporary operation are nonetheless penetrating and provocative. His own attitude toward the office is power-oriented. He condemns both constitutional strict-constructionism and democratic fetishism, and sees the Presidency as a position to be occupied only by those who have the ability and the will to use its great resources for creative, moral leadership, both at home and abroad. Perhaps because the office has not been so viewed during the critical years of the Eisenhower Administration, Tugwell is deeply concerned about its adequacy for our times. But he is unduly pessimistic regarding the Presidency's capacity to adapt to new conditions and new personalities. As his own special hero, Woodrow Wilson, pointed out, "the office is the measure of the man—of his wisdom as well as of his force." What the Presidency needs most is not institutional change, but men who are equal to its challenge.

ROBERT S. HIRSCHFIELD
HUNTER COLLEGE OF THE CITY OF NEW YORK

Modern Britain, 1885-1955. By HENRY PELLING. Edinburgh, Thomas Nelson and Sons Ltd., 1960—xii, 212 pp. 18/-.

Historians, above all English historians, may now play a new game, "What's your series?" The latest on the stocks, edited by Christopher Brooke and Denis Mack Smith, will span 2000 years in eight volumes. The periodization is conventional, and "the precise scope and scale of each book will inevitably vary according to the special circumstances of its period; but each will combine a clear narrative with an analysis of many aspects. . . . The special aim of this series is to provide serious and yet challenging books, not buried under a mountain of detail." However worthy the aim, however meritorious the present sample, the proof of the aspiration must lie in usefulness.

The first book to appear—and the last in sequence—suggests that the editors may have written their preface after they had read the manuscript. Mr. Pelling, the well known historian of the Labour Party, has adhered to two main themes—Britain's external difficulties and her adjustment to them, and her internal social and political conflicts and their resolution. Only by a self-denying ordinance could he cover seventy years—and such seventy

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

years—so concisely and so meaningfully. The initiate and the tyro alike can read with profit, not necessarily the same profit to be sure. Though the initiate will find nothing new he may see old problems in new relationships, as for instance the emphasis that the tendency of capital to seek opportunities abroad, whether in foreign countries or the colonies, rather than at home, long delayed industrial retooling and so cost England her supremacy. Though the tyro will at times be mystified by the speed of the narrative and the dropping of names he will nonetheless get a view of the whole. Moreover, he will find some useful charts in the appendixes and an excellent list of books for further reading as well as a sprinkling of interesting pictures.

The arrangement throughout is topical-chronological: external and imperial relations, domestic affairs, and major trends of social change. For the most part, Mr. Pelling avoids explicit judgments, but he incorporates implicit emphases. He mentions many people but he characterizes none. If he omits many problems, institutions, and ideas he manages to work most of those he does include into the texture of his narrative, not merely patch them on it. Themes cultural get very sparse treatment to be sure, but even here the author has not taken refuge in a catalogue of names. Not least, he has observed some unities: the book has a beginning and an end. In summing up the changes which had taken place since good Queen Victoria's "glorious days"—changes induced by war, depression, imperial contraction—the author finds many evidences of democracy, welfare, and a more abundant life; and he is obviously proud to write, "whatever the limitations of the British policy by comparison with others, no country of anything like equal size can claim to have dealt more successfully with the major problems that have divided its citizens at home and challenged them abroad."

CHARLES F. MULLETT

UNIVERSITY OF MISSOURI

The British General Election of 1959. By D. E. BUTLER and RICHARD ROSE. New York, St. Martin's Press, 1960.—viii, 293 pp. $6.75.

This is the fifth in the series of election studies sponsored by Nuffield College, Oxford University. The senior co-author, Dr. David Butler, has been associated with each volume. Unofficially but indisputably he is now chief psephologist-in-waiting to the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

British electorate, expertly ready to record any outbreak of election fever. The present work bears the stamp of his direction. Closely modelled on its predecessors, it is a lucid political history of the 1959 election. The positions of the major parties are staked out. (There is a happy innovation in the inclusion of the complete texts of the Conservative and Labour manifestos in an appendix.) The course of the campaign is charted day by day. There are lively accounts of local campaigning in four carefully selected constituencies: Tiverton, a safe Conservative seat in the West of England; Kelvingrove, a marginal seat in Scotland; Newcastle-under-Lyme, a safe Labour seat in the West Midlands; and North Kensington, a marginal seat in London. And the results of the voting are tabulated and analyzed.

The 1959 election was strikingly unusual in two respects. It produced an unprecedented third victory with a greatly increased majority for an incumbent government, and it was the first British general election to feature extensive use of television. The study acquits itself creditably with regard to these novelties. In its summary of developments since the previous election the focus is on social change, and the emergence of Britain as an affluent society is briefly but pointedly recorded. It is in this social change that Messrs. Butler and Rose discover the over-all explanation of Conservative victory. They date a crucial swing of opinion back to the government from the summer of 1958, attributing it to the general increase in prosperity (p. 198). In their judgment, "a predominantly prosperous people is unlikely to welcome major political changes" (p. 199).

As for television, the new medium shares the traditional chapter devoted to broadcasting in earlier volumes, and a fair account is given of the contents and quality of party telecasts, an aspect of the campaign in which Labour clearly took the honors (pp. 86-90). In another contrast to the earlier studies, there is also a chapter devoted to the public opinion polls. Their use assumed a new prominence in the 1959 election, and on the whole all four of the major polls acquitted themselves well. They all indicated the success of the Labour party in virtually eliminating an initial Conservative lead in public sentiment which made the contest exciting, and all recorded the last-minute swing of opinion back to the government which brought victory.

Analyzing this shift in the course of the campaign, the authors single out as "tactical blunders" the Labour pledges, made hurriedly in the heat of battle, not to raise income taxes and to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

remove purchase tax from essential goods. They conclude: "In retrospect the two tax pledges appear as the turning point of the campaign itself. All the opinion polls indicate that about ten days before the vote the tide which had been flowing so strongly to Labour was checked and then reversed" (p. 61).

Mr. Richard Rose is an American. As a student of Nuffield College he worked essentially within the pattern established by his co-author, but we may hazard a guess that a new interest in the political process which significantly distinguishes this book from its predecessors derives largely from his American curiosity. The most notable evidence of this new interest is an appendix describing the advertising and public relations campaign carried out by big business against Labour's nationalization proposals. The authors estimate that business groups spent £1,435,000 on politically relevant propaganda against nationalization in the twelve months before the election (table on p. 252). Students of British politics may now ponder this observation: "The amount spent on the anti-nationalization campaigns was enormous by political standards; it was about four times what the Conservative party was spending on advertising in the same period and fourteen times the Labour party's outlay on public relations. It was £400,000 more than the total expenses of all the candidates in the general election" (p. 253).

The study is worthy of its predecessors, and we may all hope that future elections will again be so expertly recorded. At this moment specialists may amuse themselves by holding up this book to the critique of the notion of "psephological swing" offered in Sir Ivor Jennings' new study of the British electoral process (*Party Politics, 1: Appeal to the People,* Cambridge, Cambridge University Press, 1960, pp. 313-326). Messrs. Butler and Rose utilize this concept, and they explicitly deny that local factors in individual constituencies significantly affect electoral results (p. 195 and p. 238). Sir Ivor asserts that study of a single constituency in successive elections indicates the importance of local factors (p. 320). Elsewhere in his new work he claims that "the 'swing of the pendulum' is caused mainly by the new voters and the non-voters" (p. 305), a thesis which Messrs. Butler and Rose do not seem to share although they do not expressly deny it.

STEVEN MULLER

CORNELL UNIVERSITY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A Study in Austrian Intellectual History: From Late Baroque to Romanticism. By ROBERT A. KANN. New York, Frederick A. Praeger, 1960.—xxii, 367 pp. $6.00.

Professor Kann is too modest. His book is a study not of intellectual but of cultural history, and indeed in the broadest sense of that flexible term. For what Kann attempts is nothing less than a synthesis of all the aspects of Austrian civilization—economic, social, political, intellectual, and aesthetic—from the middle of the seventeenth to the middle of the nineteenth century. The book is organized around the three successive styles into which the movement of the culture in this period crystallizes —Late Baroque, Enlightenment, and Romanticism—and these phases are bound together in Kann's thesis that they exhibit the cyclical spiral characteristic of Austrian history. Probably no scholar in this country is as equipped to undertake such an ambitious project as is Kann, for the synthesis is obviously the distillation from an unrivalled fund of knowledge, and certainly nothing like it has appeared in English previously.

But Kann's is no ordinary synthesis. He has essayed the novel method of specifying the general level of his cultural discussion with detailed analyses of two representative intellectuals, Abraham a Sancta Clara for the Late Baroque (and by extension for the early nineteenth century Romanticism that resembles it) and Joseph von Sonnenfels for the Enlightenment. The design is intriguing, for, if successful, the elaboration of concrete evidence for an argument within the natural framework of typical personalities would not only save space but enhance interest.

In Kann's work the balance of general synthesis and particular biography is mutually fruitful, but the method does not work quite as well as it should. There are two reasons for this, one of them minor but obtrusive, the other rather more serious.

First, Kann is plagued by a certain peculiarity of style which prevents the reaping of all that he has evidently sown into his work. It is difficult to pin-point this peculiarity, for the style is neither turgid nor obscure. The most approximate adjective is probably *wooden*. There is a stiffness about the writing which is manifested in the use of pedestrian phrases and in the constant reiteration of words like "ideology." I get the impression of a vital spirit imprisoned in a cage of language.

Secondly, the two levels of treatment are not sufficiently integrated. The general descriptions of Austrian culture contain sections on which the representative individual has no bearing, and the individuals, in turn, do not always represent what they

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

should. The treatment of the enlightened Sonnenfels is much more satisfactory in this respect than is that of the obscurantist Abraham a Sancta Clara. Kann's view of Austrian baroque culture high-lights the juxtaposition of a narrow social and intellectual base with a specialized efflorescence in the arts, but the Abraham that he presents relates only to the former of these elements. Again, Kann's conception of a cycle which runs from the religious conservatism of the Counter-Reformation through the rationalistic Enlightenment and back to the religious conservatism of Romanticism does not suffice to make Abraham a Sancta Clara serve for both the first and third periods. Without a Romantic personality the plan seems incomplete.

It would seem, then, that Kann has tried to do too much at once. He has tried both to write a general cultural history of Austria and to break ground for a new analytical method. On both counts he merits our appreciation—but for services that remain separate.

LEONARD KRIEGER

YALE UNIVERSITY

Legacy of Suppression: Freedom of Speech and Press in Early American History. By LEONARD W. LEVY. Cambridge, Harvard University Press, 1960.—xv, 353 pp. $6.50.

The First and the Fifth: With Some Excursions into Others. By O. JOHN ROGGE. New York, Thomas Nelson & Sons, 1960.—ix, 358 pp. $8.50.

The Supreme Court and Civil Liberties. By OSMOND K. FRAENKEL. Published for the American Civil Liberties Union by Oceana Publications, New York, 1960.—vii, 173 pp. $2.95 cloth, $1.50 paper.

Invariably Americans turn to the past to justify their present political beliefs. Those who hold freedom of speech in high regard are no exception. Seldom, in their opinons involving the First Amendment, do Justices Black and Douglas forego the opportunity to make invidious contrasts between the Framers' unwavering faith in freedom of expression and the timidity of those today who favor the abridgment of this freedom. The historical interpretation of American freedom by libertarians on the Court is supported by numerous scholars including Justice Holmes and Zechariah Chafee. In his classic work on the subject, the latter asserted, "The First Amendment was written by men to whom

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Wilkes and Junius were household words, who intended to wipe out the common law of sedition, and make further prosecutions for criticism of the government, without any incitement to law-breaking, forever impossible in the United States of America."

In the teeth of such impressive authority, Leonard W. Levy, professor of American Constitutional Studies at Brandeis University, has marshaled considerable evidence to show that the libertarians have misread history, or more bluntly, have recreated history in the image of their own preferences. It must be said however that although the evidence strongly supports Professor Levy's thesis that the First Amendment did not repudiate the Blackstonian definition of seditious libel, the issue is far from being closed. This is so, as Levy readily admits, chiefly because of the meagerness of sources covering the period of 1787-1791; while there was much rhetorical effusion by the advocates and Framers of the Bill of Rights, there was practically no discussion as to what was meant by freedom of speech and of the press. The few Framers—and James Madison was not one of them—who did reveal what they meant by these freedoms were in complete accord with Blackstone's conception. For example, Ben Franklin agreed that there should be as much free discussion as possible, but that those who affronted the government's reputation ought to be treated harshly. James Wilson, who was more explicit, held that "what is meant by the liberty of the press is that there should be no antecedent restraint upon it; but that every author is responsible when he attacks the security or welfare of the government. . . ." This Blackstonian view of freedom of the press was provided by constitution or statute in twelve states including nine which guaranteed a free press. If, Professor Levy argues, the object of the First Amendment was to wipe out the common law meaning of sedious libel, it is extremely strange that neither the Framers of the Amendment nor those who ratified it, said so. It was not until the Jeffersonian Party was threatened by the Sedition Act of 1798 that seditious libel was repudiated and an absolute conception of freedom of speech developed.

What effect Levy's penetrating and scholarly study of the history of the development of freedom of speech and of the press in seventeenth and eighteenth century England and America will have on present-day libertarians is a matter of conjecture. It is hoped that they will heed his sound advice, that "the case for civil liberties is so powerfully grounded in political philosophy's wisest principles, as well as the wisest policies drawn

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

from experience, that it need not be anchored to the past." Whether or not his advice is taken, it is imperative that his book be read by those concerned with the development of American freedom. For it is clearly a major contribution on the subject.

Not having the benefit of Levy's reinterpretation of the First Amendment freedoms, O. John Rogge's historical justification of the absolute position in *The First and the Fifth* falls rather flat. The author, who was formerly Assistant United States Attorney General, relies heavily on writings after the passage of the Sedition Act, such as Madison's famous "Report on the Virginia Resolution," and the views of John Nicholas and John Taylor on the evils of seditious libel. But it is extremely doubtful, as Levy argues, that these men held the same views almost a decade before when the Bill of Rights was being debated.

While Mr. Rogge argues that the First Amendment proscribes Congress from abridging freedom of expression absolutely, he rejects Mr. Justice Black's thesis that the Fourteenth Amendment makes the prohibitions of the first eight amendments applicable to the states. In fact, he goes to the other extreme by embracing Mr. Justice Frankfurter's position that the Fourteenth does not even incorporate the First Amendment freedoms. Thus he feels that the states ought to have leeway under the due process clause to deal with problems involving speech and sedition. Although he believes that the leeway should be small, he has no quarrel with the anti-libertarian decisions of the Court, such as in the *Feiner, Beauharnais,* and *Uphaus* cases,. Unfortunately Mr. Rogge is silent as to how he reconciles the philosophy underlying the absolute position of the First Amendment with the Frankfurterian interpretation of "liberty" in the Fourteenth Amendment.

The author's historical analysis of the right to silence under the Fifth Amendment—which is the major section of the book—is quite interesting. Nevertheless, I am puzzled why Mr. Rogge limits the right to silence to those individuals who may be in danger of incriminating themselves, ignoring the emerging concept of this right as a corollary, under the First Amendment, to the right of freedom of speech. In view of his absolute position on First Amendment freedoms, one would think that he would be impressed by the defense of this concept in Mr. Justice Black's vigorous dissent (concurred in by Chief Justice Warren and Justice Douglas) in the *Barenblatt* case. He clearly was not. This is of course his privilege, but what is annoying is that he

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

does not bother to explain the apparent inconsistency in his position.

The Supreme Court and Civil Liberties by Osmond K. Fraenkel, distinguished general counsel of the American Civil Liberties Union, was first published in 1937 and has subsequently been revised approximately every three years. This revision, which appears as part of the observance of the 40th anniversary year of the American Civil Liberties Union, includes the recent decisions of the Court up to June, 1959. Mr. Fraenkel summarizes the Court's holdings on all aspects of civil liberties with vitality and objectivity. The cases are arranged and indexed superbly. The book is an invaluable reference guide for both the student of constitutional law and the informed citizen.

PETER BACHRACH

BRYN MAWR COLLEGE

Law in a Changing Society. By W. FRIEDMANN. Berkeley and Los Angeles, University of California Press, 1959.—xxvi, 522 pp. $8.50.

In this exciting book Professor Friedmann examines the impact on law of present-day changes in the way Englishmen and North Americans live and in the ideas they have in their heads about the way they live. The canvas is huge. Its main groups are the rôle of the courts in adapting the common law to contemporary social change, significant problems now facing courts and legislatures in the fields of property, contract, tort, criminal law and family law, the legal implications of modern tensions between business and the public and between the worker and his union, the principles of public law as they are now developing in the common law world and a reassessment of the meaning of the rule of law in our time. To all these topics the author brings the immense learning and experience he has gained from his training first in Germany and then in England and from teaching successively in England, Australia, Canada and the United States. He is courageous and fair in the opinions he freely expresses on the controversial issues with which the book is crammed.

Let me first mention and dispose of some minor criticisms that any reviewer could easily make. Some of the problems discussed, e.g. the criminal liability of corporations, are hardly problems at all and seem to have been dragged in because the author at some time did some work on them and doesn't want to throw it away.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The discussion sometimes rambles and gets lost in the details of the illustrations given—this is also true of *Legal Theory* and of *Law and Social Change in Contemporary Britain,* the author's best known earlier works. Some of the legal distinctions, e.g. that between the planning level and the operational level of a public authority's public service functions, are drawn with a confidence that is not justified by the authorities or by legal principle. These might be serious blemishes in a lesser work; in the case of this book they can be brushed aside as unimportant and as part of the price one has to pay for reading Friedmann at all.

For this is a new kind of book about law (the annual Hamlyn lectures in England are pale reflections in very limited fields) and Friedmann is a new kind of legal author, a sort of reversion to the eighteenth century man. He does not see the social sciences as divided into law, sociology, political science, economics and the like. Nor does he see practising lawyer's law as hived off from legal theory or legal theory as split up into the little sovereign bailiwicks of jurisprudence, comparative law, legal history, and so on. What he is trying to do—and he thereby necessarily braves and defies all the "experts" in the various departments of practising lawyer's law, legal theory and the social sciences—is to give to those who labor as judges, practising lawyers, teachers or students some understanding of the conflicting forces and ideas outside the law which are in the here and now creating specific problems inside the law and to give them some sense of direction in dealing with those specific problems. This is an ambitious undertaking—and a courageous one too, for it lays Friedmann the scholar open to the charge by other scholars that he is a "legal journalist"—but, speaking as one who has taught and practised law, I always found new light, even in those fields I thought I knew something about. And how welcome light is, particularly to the judges and practising lawyers who have to wrestle with the "lawless law of precedent."

Sociologists and political scientists might find the book interesting, for its subject matter lies mainly in the shadowy borderland between law and their two disciplines; they would, however, have to cope with a good deal of discussion of cases, for Friedmann writes from inside the law looking out and is addressing himself to lawyers. All lawyers should read it but they should not try to read it through. It has no single connected theme, and although Friedmann tries to provide connecting ideas, it is best regarded as a series of informed and illuminating comments on selected contemporary problems of policy in the field of law.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

What lawyers will get from it is a review of how and why changes are taking place in the socially important sectors of law, an indication of how other countries are dealing with similar problems and a discussion of how far traditional legal ideas are adequate to deal with them—all fortified by copious references to cases, legislation, government documents and legal and non-legal literature. What they will also get, as I did, is a sense of reality and a feeling of excitement—that law is *for* something and that the work lawyers do really does matter.

JOHN WILLIS

UNIVERSITY OF TORONTO

China: Its People, Its Society, Its Culture. By CHANG-TU HU in collaboration with others. New Haven, HRAF Press, 1960. —611 pp. $10.00. Distributed by Taplinger Publishing Co., New York.

China is the sixth in a series of hard-cover country surveys produced under the auspices of HRAF (Human Relations Area Files), "a nonprofit research corporation affiliated with Yale University and sponsored and supported by its seventeen member universities." Lest this respectably academic sponsorship mislead, it should be noted that minimum standards of critical apparatus and scholarly ethics are not met by this important volume. We learn that the book is "based upon" monographs prepared at the University of Washington under contract from HRAF, and that in addition "certain sections" of seven chapters have been "taken from" other handbooks prepared at Stanford University. The members of the two research teams upon whose work it is based are nowhere identified. Nor can the reader at any point—two specially prepared chapters excepted—tell whether the section he is reading was based on a Washington monograph, taken from a Stanford handbook, or derived more directly from the authors as listed on the title page. Worse still, not a datum or an idea or a piece of analysis in the text is properly credited to its source or originator for, as the Preface puts it, "owing to special requirements imposed on the program, footnotes and citations customary in works of this nature were omitted."

These features of *China*—presumably the result of HRAF policy and outside the responsibility of the authors—are the more regrettable because the book has many attractive features. It goes far to meet the urgent need for a readable comprehensive

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

survey of Communist China. (Taiwan is to be treated separately in a subsequent volume of the same series.) Virtually every aspect of contemporary Chinese society, economy and policy is systematically treated. And it is some cause for wonder that a product of so many hands—more Chinese than American—should have avoided stylistic incongruities and maintained throughout a high level of English diction. A notable feature of the book is the emphasis placed on historical and cultural context. Many chapters include substantial sections on traditional and transitional China, thereby helping to convey a properly dynamic picture and setting the stage for a number of illuminating comparisons and contrasts across time. Exceptions to this practice unfortunately include two chapters of special interest to the readers of this journal: "Dynamics of Political Behavior" and "Theory and Structure of Government." In the chapter on foreign relations—one of the best in the book—Howard Boorman takes greater cognizance of the deep historical roots of Peking's policies. For the most part, the material is up-to-date (mid-1959), though for some reason the latest figure cited for Communist party membership is the 10.7 million total for May, 1956. Back matter includes twenty useful statistical tables, a 47-page bibliography, and a rather skimpy index.

Inevitably in a work of this kind, some chapters are more authoritative than others. It appears to this reviewer that no professional demographer had much to do with the section on population, and that the chapter on languages could hardly have been written by a modern, professionally trained linguist. The treatment of age-specific sex ratios (pp. 56 *et seq.*) is naïve and unworthy of the interdisciplinary focus of the whole volume, and it is simply untrue that life expectancy figures within the 5 to 54 age groups "seem to be much the same" in China and the United States (p. 57). As for language, "the occasional infusion of foreign blood" did *not* leave "indelible marks on spoken Chinese" (p. 95); literacy was not low in China *because* it is difficult to learn to read Chinese (p. 95); the Swatow dialect is *not* spoken on Hainan island (p. 100); the Thai language is *not* "closely related to Chinese" (p. 67) and is probably *not* a member of the Sino-Tibetan language family (p. 98), and so forth. The chapters on social structure and family are better, but the characterization of the traditional social system as "positive and fundamentally idealistic" (p. 141), the unrealistic description of the functioning of clans (p. 144), the naïve treatment of social mobility (pp. 152 *et seq.*), and the cut-and-paste

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

quality of the description of the traditional family (pp. 157-71) would hardly lead this reviewer to characterize them as authoritative. Still the authors had the good grace not to prate on about the destruction of the family under Communism, and the final paragraph on familial change is sound (p. 180).

Dr. Hu has managed to produce an extensive volume about his controversial native land with remarkable objectivity. It is true that occasionally the ethnocentric pride of the Chinese contributors shows through. At a few points, furthermore, it would appear that the authors had been sold a bill of goods by their Communist sources, as on page 73 where we learn that some minority groups in China had "reached the level of slave or feudal society." But the only serious lapse from levelheadedness and common-sense objectivity comes in the section which unfortunately ends the book. In the final pages (506-17) describing attitudes toward the regime, the picture is unabashedly slanted to suggest the imminence or at least inevitability of counter-revolution in China. But if certain passages in this section sound more like the wishful thinking of the China Lobby than dispassionate analysis, they are fortunately far from typical of an otherwise balanced appraisal.

G. WILLIAM SKINNER

CORNELL UNIVERSITY

The Russian Push toward Japan: Russo-Japanese Relations, 1697-1875. By GEORGE ALEXANDER LENSEN. Princeton, Princeton University Press, 1959.—xv, 553 pp. $10.00.

Professor Lensen's new book offers a comprehensive treatment of Russo-Japanese relations between 1697 and 1875. Its thirteen sizable chapters begin with "the setting," and move on "in quest of Japan" through "secret contacts," to "the opening wedge," that is, Adam Laxman's expedition in 1792-1793, and the expeditions and encounters in subsequent decades. In the ninth chapter the author reaches Putiatin's expeditions and "the opening of Japan," which he follows with two chapters on Russians in Japan: "in opened Japan" and "with cross and abacus." Finally, the twelfth chapter treats "the delineation of the frontier," in particular the Sakhalin question, and the thirteenth speaks of the "end of an era." "After 1875 the bilateral nature of early Russo-Japanese relations gave way to the more complex interplay of political and economic forces on an international scale and the influence of individual Russian and Japanese adventurers faded into the background" (p. 471). Japan became part of the modern world.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The volume contains, in addition to the narrative, seven appendices, which give the texts of relevant treaties and agreements, an extensive bibliography, a good index, sixteen maps, and many magnificent illustrations, including reproductions of rare Japanese prints. The Princeton University Press deserves high commendation for the way in which it brought out *The Russian Push toward Japan.*

Professor Lensen's study is scholarly, precise, meticulous, rich, full, and, it would seem, definitive. Both Russian and Japanese sources, as well as materials in several other languages, have been very extensively, often exhaustively, utilized by the author. There is a great abundance of detail. This detail, however, usually falls into place as Professor Lensen strives to spin an exact and essentially complete account of Russo-Japanese relations. Moreover, it consistently adds to the readability and the interest of the book. To round out the list, at least one additional virtue of the work should be mentioned: the attractive point of view. The author writes with sympathy and understanding about both Russians and Japanese, and he appears to be remarkably just, as well as kind, in evaluating controversies and conflicts between the two sides. Characteristically, Vasilii Golovnin, a Russian naval officer who learned to appreciate the Japanese during his long imprisonment in their country, stands out as the hero of the book.

While there is much to praise, there is little to criticize. Nevertheless it should be noted—without, of course, blaming the author—that the book deals with a minor, rather than a major, topic in Russian history. If the issue of isolation versus contact with the West, Russia prominently included, posed crucial problems for the Japanese government and society, the discovery and opening of Japan went largely unnoticed in Russia, where the island empire received at best sporadic and peripheral attention from the officials and the educated public. The next volume, which—so Professor Lensen promises—will cover Russo-Japanese relations after 1875, should, therefore, present to the author a greater opportunity, together with a greater challenge. In this connection, the title of the present study, *The Russian Push toward Japan,* raises doubts: most of the time Russia failed to push. A dozen or so slips and misprints detract little or nothing from the work. Still, the Russians reached the Pacific in 1639 rather than "by 1649" (p. 19) and *probirnykh del master* denotes a specialist in establishing the metallic content of ores, not "a pharmaceutist" (p. viii).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To conclude; one can only welcome Professor Lensen's new book. It represents a fine work of scholarship. And it is a delight to read.

NICHOLAS V. RIASANOVSKY

UNIVERSITY OF CALIFORNIA, BERKELEY

Max Weber: An Intellectual Portrait. By REINHARD BENDIX. Garden City, Doubleday & Company, 1960.—480 pp. $5.75.

Eli Heckscher, the economic historian, maintained that, apart from Marx, Max Weber is the only great intelligence that Germany has produced in the social sciences. American sociologists are apt to think equally highly of Weber; those who look to Talcott Parsons for their cues are unanimous in their homage to Weber, as are many others, for example, Harry Elmer Barnes, Hans Gerth, and C. Wright Mills. Weber's writings lack the virile beauty of Freud's style and the forcefulness of Marx's presentation. Weber's style is more involved—in part because of his more immaculate scholarship—and many of his writings lack a uniting theme and focus. There still is no English version of Weber's collected works in sight, only a string of rather free translations. The difficulty of his prose, and the fragmentation and disagreements of the translations seem to have added to, rather than subtracted from, his impressiveness in the eyes of American sociologists.

Reinhard Bendix's work is the most complete introduction to Weber's thinking available in English. It is more extensive than Parsons' four chapters on Weber in his *The Structure of Social Action* (1937), which to date have been the standard summary and commentary on Weber in English. Bendix devotes most of his book to an exposition of Weber's substantive writings, omitting only a few studies (those dealing with ancient agriculture, medieval trading houses, and attitudes of industrial workers). A smaller share of the book is devoted to Bendix's own interpretations, most notably Chapter VIII "Max Weber's Image of Society" and Chapter XIV "A Contemporary Perspective." Given the limitations of space, Bendix is as fair and accurate in his exposition of Weber's work as one can ever expect, and he leads us with a keen sense for the essentials through Weber's voluminous scholarship.

Bendix gives less of an intellectual portrait of Weber in the wider sense. Thus the effect of Weber's often paralyzing academic *accedia* and his personal preoccupation with things powerful

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and military are only mentioned, but never explored. Nor does Bendix explore the extent to which the general intellectual outlook in Imperial Germany affected Weber's choice of topics; for example, Bendix passes up the opportunity to explore how *The Protestant Ethic and the Spirit of Capitalism* became Weber's contribution to the nagging question of his countrymen: why did England get ahead of us? Nor does Bendix deal with Weber's critics. For example, the many attempts to undermine Weber's thesis about ascetic Protestantism as a factor in the emergence of capitalism—critiques which taken together, in my opinion, refute Weber's thesis—are not discussed by Bendix. Bendix, in short, is content to limit himself to an exposition and explication of Weber's ideas without dwelling much upon how Weber's life situation affected these ideas, nor how they have fared since Weber presented them.

The effect of Webster's *accedia* is most easily noticed in his work on religion. *The Protestant Ethic,* although revised once, never becomes more than a provocative sketch of an argument. The studies of the effects on economic life of the ethics in the Old Testament and in Indian and Chinese religions are more nearly full-fledged monographs, but they suffer from Weber's failure to bring them into focus. If their goal—as Bendix hints—is to account for the unique rationalism of Western civilization, then much of what they include is irrelevant. As these studies stand, one has the feeling that Weber somehow conceived that they would add up to something important, but that he was too strained and tired to ever reach and formulate their joint conclusion. It would perhaps have been fairer if Bendix had openly admitted this state of affairs. Now he—like many American commentators on Weber—leaves the reader feeling frustrated for not seeing a point that is really not there.

Weber's preoccupation with power and honor pay handsome dividends in his writings on the body politic. Bendix suggests that Weber's own abstract taxonomies of social stratification, forms of authority, variety of social collectivities, and so on are an insufficient guide to this political sociology. The recurrent dynamic element in Weber's concrete studies is barely mentioned in his taxonomies: contests between vested interest groups. Members of such a group—often called *Stand* by Weber and rendered a "status group" in English by Bendix—share a common style of life, a set of privileges, and a system of honorific rewards. Their political motivation is to defend their reward system and its legitimacy, and to impose a version of order on society that

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

guarantees their privileges and affords the elaboration of their style of life. Weber's analyses of patrimonial trustees, vassals, junkers, officers, civil servants, and various priesthoods demonstrate how far-reaching and rewarding this conception is. The rôle of legal means in consolidating the position of vested interest groups became particularly significant to Weber, since in Western society the legal order has come to set the framework for contests between different vested interests and also has become the object of such contests. It is in discussing this borderland between the legal order and the battleground between vested interest groups that Weber fascinates most. Bendix's exposition brings this out more clearly than the earlier one by Parsons.

At the time of Weber, continental sociology was more interesting in its choice of topics than was American sociology. In assessing the later course of American sociology, Reinhard Bendix's rôle is significant in bringing the most interesting topics of pre-Hitler German sociology to the American scene. We have witnessed this in Bendix's choice of topics for his own empirical studies, e.g. his monograph on higher civil servants, and his recent book on the forms of management domination in various phases and settings of industrial society. A few years ago, in a "reader" (jointly edited with and partly co-authored by S. M. Lipset) Bendix caused the original Marxian theory of class to receive more serious attention from American sociology. One must be grateful that he has chosen to continue this service of building bridges to important European traditions by giving us this book about Max Weber.

HANS L. ZETTERBERG

COLUMBIA UNIVERSITY

The Profession of Government: The Public Service in Europe. By BRIAN CHAPMAN. New York, The Macmillan Company, 1959. —352 pp. $6.50.

This is an excellent book in an area of need—comparative administration. It is the product of a decade of work, including observation and discussion in thirteen countries. The nearest comparable work is perhaps Paul Meyer's *Administrative Organization; A Comparative Study of the Organization of Public Administration* (1957) which, incidentally, is scrupulously ignored. Yet the two can be put under the same heading only with the kind of logic that brackets pears and bananas because they are both table fruits. For example, not only does Meyer's

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

work treat prominently administrative experience in the United States, it is given much of its flavor by certain interests and theories of American political science and public administration; whereas Chapman is concerned only with western Europe and writes in the best practical-empirical, no-damned-nonsense tradition of British "political studies."

Chapman's book is by a British writer for well-informed British readers. It therefore does not include Britain in its formal coverage. It assumes that the reader knows British practice, and it asks him, implicitly and sometimes explicitly, to reflect upon the merit of his own institutions in the light of continental comparison. France and Germany are examined in some detail. Italy, Switzerland, Holland, Belgium, Spain and Sweden are treated in less detail. The other Scandinavian countries, Portugal, and Austria receive marginal attention. For the author's purposes, "Europe" does not include a communist government; nor Eire.

The book has a perspective, a thesis, relating to "the profession of government"—of which more in a minute. Nevertheless, it could as accurately and honestly be labelled *Public Administration in Western Europe: A Comparative Study*. That is to say, it treats generally of the organization and administration of the public services in the countries examined; but treats in only a general and sometimes impressionistic way of such things as class origins and social values of the public servants. Specifically, the book contains four parts (following an historical introduction): Composition, Conditions of Service, Control, Politics and Public. As indicated, topic rather than country is the first principle of classification.

Professor Chapman's thesis is that "European public services have acquired most of the characteristics of a profession. The outsider has been virtually eliminated from the recruitment, the discipline, and the promotion of public servants, except for a very limited number of cases at the top." All that is missing to make professionalization complete "is a recognized professional qualification, and any general acceptance that the profession should have a monopoly of government" although "the acquisition of a recognized public status and the growth of professional training schemes in the civil service compensate in some measure for the lack of a professional qualification."

Professionalization of the public service has profound implications, for "according to western democratic theory government is the task of representatives of the electorate, not of a profession of government." However, there is now "little doubt that it is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the higher civil service which represents the state, round which legislatures, ministers, the public and the judiciary revolve" (pp. 306-7). This is, of course, only another way of stating Professor C. J. Friedrich's aphorism that "administration is the core of modern government." But Professor Chapman has many new data and fresh insights and observations.

American readers interested in their own public services will find much to enlighten and stimulate them, even though the existence of their own country is only incidentally acknowledged in two references (one to spoils "in the American sense"). The debate of the past decade on the feasibility of a federal senior civil service, for example, is greatly illuminated by the European experience, and by Professor Chapman's reflections. The remarks addressed to his fellow countrymen are of great interest—and of great value to an American engaged in the perennial task of trying to evaluate the British experience for American use. Some of the evaluations are "balanced," or favorable to British practice. Some, however, are highly critical (see pp. 161, 192, 196, 208, 321). For example, Dicey and his famous thesis are severely treated in comparison with continental, especially French, institutions. The sharpest criticism, however, is directed toward the "pathological secretiveness" of British government:

> The only instance where an official has no knowledge in advance of the case being prepared, no right to examine the relevant documents, no right to question witnesses, no right to rebut specific charges because the charges may not be specific, no right to legal representation, and no effective appeal, is contained in the British security programme. This is now unique in western Europe (p. 161).

DWIGHT WALDO

UNIVERSITY OF CALIFORNIA

Trends in Content Analysis. Edited by ITHIEL DE SOLA POOL. Urbana, University of Illinois Press, 1959.—244 pp. $7.50.

This volume contains seven papers from a 1955 work conference on content analysis. Each essay has been revised to incorporate points made during the conference and new ideas and materials from subsequent studies. The editor's chapter provides a summary of the major issues, points of agreement and disagreement, and the direction of research in the field.

The papers are primarily theoretical and methodological in emphasis, using substantive findings from content analyses for illustration. Problems are drawn from work in a number of the social sciences. The over-all quality of the essays is excellent, the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

treatment of problems sophisticated and technically detailed. Yet each paper is readable and instructive, even for the reader who is not a specialist. In particular, the discussions about general problems of interpretation and inference bear directly on vital issues for political and other social scientists.

Two common interests are selected by the editor for special attention. These are: "(1) a sophisticated concern with the problems of inference from verbal material to its antecedent conditions, and (2) a focus on counting internal contingencies between symbols instead of the simple frequencies of symbols" (p. 2). Some of the other issues discussed include the relative merits of quantitative and qualitative approaches to content analysis, inference from content to characteristics of the audience and effects of the message, and the extent to which messages can be regarded as representational or instrumental.

In the opinion of this reviewer, it is the tendency to use content analysis for purposes other than the description of manifest content that appears as the most interesting "trend" reflected by the conference. Elsewhere, Berelson has defined content analysis as "a research technique for the objective, systematic, and quantitative description of the manifest content of communication," (*Content Analysis in Communication Research*. Glencoe, Free Press, 1952). It is, then, basically a technique for the description of manifest communication content in terms that are relevant to some research problem. For many purposes descriptive content analysis is sufficient. For example, one simply may compare the amount of front page space that different newspapers give to Republican or Democratic candidates during an election campaign. For other problems, however, the manifest content of communication is taken as an *indicator* of something other than the message itself—perhaps the intentions or characteristics of the communicator or the effects upon the audience.

It has long been recognized that content provides little or no direct evidence for inferring either its causes or effects. Nevertheless the kinds of problems that interest many researchers often involve inferences of this type. In the absence of other direct data on the communicator, audience, or effects the researcher may prefer to rely on the analysis of communication content rather than speculate about such matters with no data at all. But herein lies a danger. Considerable knowledge is available concerning the methodology and techniques of descriptive content analysis (though many issues are unresolved and research decisions often

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

rest more upon judgment than rule, for example, in selecting content units and categories). However, when it comes to using manifest content as evidence about the communicator, audience, or effects there is hardly a trace of methodology to guide the investigator. Hence such studies often rely upon subjective "interpretations" by the analyst. If future analyses are to become less subjective, more evidence is needed on principles connecting communication content with the intentions and characteristics of the communicator, on the one hand, and the audience and effects on the other.

It is to such problems that much of Charles Osgood's paper in this volume is devoted. Experiments are described that point toward the discovery of information and principles about the psychology of communication that are especially relevant to the interpretation of content analyses. In another direction, recent research on the structure of language (Saporta and Sebeok) also promises a better background for drawing inferences from the content itself. Pool's clarification of the distinction between the representational or instrumental aspects of the message also is essential. From the representational viewpoint the "meaning" of the message is manifest in its content; therefore the analyst looks primarily at the message to make his inferences. From the instrumental viewpoint the "meaning" of the message can only be understood in terms of the context and circumstances. Therefore the analyst would search for ancillary information about the communication situation that would set the message in context. Also relevant to such problems is the issue of the extent to which content analysis ought to be quantitative. Alexander George's paper makes a case for a qualitative, non-frequency, approach to content analysis when the purpose is to detect something about the communicator, as in propaganda analysis. Here, for example, a single reference (or absence of reference) to a topic may provide the significant clue for the shrewd analyst.

Clearly, then, the various problems, viewpoints, suggestions, solutions and examples represented in this collection of papers have important general methodological implications for the social scientist. For this reason, the book's title is somewhat misleading since it provides no clue to the excellent methodological emphasis in the work; but then perhaps the title is instrumental.

CHARLES R. WRIGHT

UNIVERSITY OF CALIFORNIA, LOS ANGELES

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Revolt of the Mind: A Case History of Intellectual Resistance Behind the Iron Curtain. By TAMAS ACZÉL and TIBOR MÉRAY. New York, Frederick A. Praeger, 1959.—xiv, 449 pp. $5.00.

This book covers a bit more than its title and subtitle suggest; it offers actually a double feature. The first one is an exposé of the submissiveness of the Communist writers who served so blindly and unscrupulously the Stalinist rule of terror in Hungary. This is a revolting story of the prostitution of the mind. Then comes the main feature suggested by the book's title: the awakening and revolt of the mind, the intellectual resistance of the Communist writers who played such an important rôle in paving the way to Hungary's glorious "October 23rd" which marked the beginning of the tragic 1956 revolution.

Messrs. Aczél and Méray (Hungarian accents added with the wish that publishers would stop omitting them) took prominent part in both phases of postwar Hungary's intellectual history. Both victims, because of their Jewish origin, of Nazi persecution —and very young, in their twenties—they joined the Communist party and achieved fame (or rather notoriety) as literary supporters of Rákosi's tyranny. The regime took advantage of their talents—and they, in turn, took advantage of all the privileges of the "new class." They were pampered and spoiled, they plucked the highest awards—both Aczél and Méray won the Kossuth Prize, and Aczél, in addition, the Stalin Prize. They were, in their own words, "worse" than Communists: they were Stalinists. They were rich beneficiaries of the incredibly corrupt regime run by the Muscovite foursome: Mátyás Rákosi, Ernö Gerö, József Révai, and Mihály Farkas. That all four, who literally "owned" Hungary, were Jews—the authors say—was "highly disapproved" by the post-Stalin Soviet leadership.

When Malenkov's and Khrushchev's de-Stalinization campaign allowed Communist Hungary to liberalize herself, Messrs. Aczél and Méray became leaders of the anti-Stalinist reform movement. They switched their allegiance from Rákosi to Imre Nagy, from Soviet Russia to Hungary, from tyranny to freedom. The metamorphosis took place when they became, retroactively, sensitive to crimes committed against their fellow Communists. "There had been hangings"—they wrote in retrospect—"Morning, noon, and night, there had been hangings. Never had an executioner hanged so many Communists, not even in the days of the bloodiest 'white terror' of the Horthy era" (p. 253).

Even after their awakening from Stalinist euphoria, the authors

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

did not seem to be bothered by the crimes committed against non-Communists—a fact, which sheds interesting light on their Communist minds. Nevertheless, the writers' movement of which Messrs. Aczél and Méray became courageous leaders demanded freedom for all, and encompassed the wishes and hopes of the entire nation.

The description of the "purifying storm" which released the Communist writers from the bondage of lies and united them with the true life of the nation, makes fascinating reading. But as a study of postwar Hungarian intellectual history, which seemed to be the authors' aim, the book is of limited value. Neither the "purifying storm" nor exile, following the revolution of 1956, seemed to cure the authors entirely of their narrow Communist views. What is not of Communist coloration does not seem to interest them. In particular, they take no notice of the dispersal of the progressive democratic intellectual forces in postwar Hungary nor of the recovery of these forces which gave popular support to the Communist writers in their struggle against tyranny. The book takes, so to speak, a "new class" view of Hungarian intellectual life and thus it fails to record in full the struggle of progressive intellectuals for a democratic Hungary.

STEPHEN BORSODY

CHATHAM COLLEGE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

In the United States in recent decades various "problems" or evident maladjustments in public and societal affairs that appeared at first to be merely local in their effects have tended to be duplicated in place after place until they seemed to become practically a single nationwide phenomenon. At this stage in developments local reform leaders in such fields as conservation, better roads and highways, country life and agricultural education, social security, housing, and labor legislation, disappointed in their efforts to find adequate local or state remedies, have transferred their appeals for aid to Congress and the national administration. Locally felt needs were thus transmuted into national problems. This has now happened in the area of urban and metropolitan needs and services. Both major political parties have recognized this fact in their 1960 platforms, so that some definite action by Congress and the national administration toward meeting the demands of metropolitan areas cannot be far off. In *The Federal Government and Metropolitan Areas* (Cambridge, Harvard University Press, 1960; xi, 275 pp. $4.75) Robert H. Connery and Richard H. Leach have provided the first book-length discussion of this new national problem, and an excellent piece of work they have done. They point out that even by 1950 over 56 per cent of the American people were living in metropolitan areas. The 1960 and later censuses will undoubtedly show even higher percentages. The authors also emphasize the importance of the national interests that center in the big urban communities, the substantial size of the national funds that are channelled into public services in these places, the confusion and diversity that prevail in the local governmental organizations of these metropolises, and the equal lack of organization to deal with metropolitan problems in the national administrative structure. Neither Congress nor the President's office has any plan or any effective administrative means for dealing with the national interests in metropolitan problems in a coördinated way. The authors fully accept the idea that some constructive national action is needed to deal with the national interests in metropolitan areas. Since the problems both at the national and the local level are continuing ones, they feel that only an agency based upon an act of Congress will meet the requirements. Of the several possible forms that such an agency might take, they discuss and reject the proposal for a separate national department of urban affairs. (The opposite view is ably presented by Mr. Robert C. Wood

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the Massachusetts Institute of Technology in a paper entitled "The Case for a Department of Urban Affairs," prepared for presentation at the September 1960 meeting of the American Political Science Association.) Next they explain and defend a plan that they approve, namely, a statute-based council on metropolitan areas in the Executive Office of the President. To create a new department would necessitate transferring to it and away from other agencies a formidable list of functions, whereas the council that they propose would serve primarily as a national spokesman for the metropolitan areas and as a coördinator and facilitator of the work of existing agencies when they deal with metropolitan interests. The book is packed with factual information and with reasoned analyses of various proposals for national action. It is "must" reading for all who wish to be well informed about the rôle of the national government in relation to the needs of metropolitan areas.—WILLIAM ANDERSON, University of Minnesota.

Students of public administration have long been intrigued by the less obvious factors in organizational life: the factors of *esprit de corps* and willingness to carry out instructions faithfully and fully. Many years ago a thoughtful president of a private business enterprise offered the advice not to issue an order unless you knew it would be obeyed. The counsel is wise. But how does the administrator know when an order will be obeyed? In *The Forest Ranger: A Study in Administrative Behavior* (Baltimore, The Johns Hopkins Press, 1960; xviii, 259 pp. $5.00) Professor Herbert Kaufman gives the reasons for the high degree of compliance in field station-central office relations in the Forest Service. There are approximately 800 Rangers in the service. They are land managers in Ranger districts. Their responsibilities embrace the protection, proper use, and development of the natural resources of each district. Mr. Kaufman visited five districts, in Virginia, South Carolina, Michigan, Colorado, and Oregon. He lived with the district ranger, gained his confidence, learned his ambitions and frustrations as well as his administrative methods. The author begins with a general description of the Forest Service. He then observes the customary challenges to unity in any enterprise: problems of internal communication, the cohesion and norms of behavior which develop in the primary work groups, the influence of local population, the attitudes of local administrators. He enumerates the various administrative practices designed to combat the centrifugal force of large-scale organi-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

zation, especially as these are practised in the Forest Service. It seems to this reviewer that Chapter VI, "Developing the Will and Capacity to Conform," is the most interesting part of the study. Here the author considers the personnel system of the service: how rangers are selected and their previous educational background, the personal interests and characteristics of the entry group, post-entry training, the system of job assignment and promotion, the importance of a uniform and other symbols of service, the encouragement of rangers to submit advice to their administrative superiors. The net result of all these efforts is to achieve a sense of identification with the Forest Service as a whole, to build a common set of perceptions, values, and premises of action. Professor Kaufman concludes that in the Forest Service a disposition to conformity has in large part overcome divisive and segmental tendencies. Yet he acknowledges that organizational structure and administrative methods have also contributed to Forest Service unity. Only at the end does he touch upon the problem of individual values in a hierarchy of administrative authority. Indeed, the volume would have been even more useful if it had provided us with more of the Forest Ranger's point of view. Even so, Professor Kaufman has contributed an important case study in the administrative process.—JOHN D. MILLETT, Miami University.

For those who want a succinct and readable survey of recent United States foreign economic policy, Peter B. Kenen's *Giant Among Nations: Problems in United States Foreign Economic Policy* (New York, Harcourt, Brace and Co., 1960; xv, 232 pp. $5.00) is about as good a summary as can be found. It is not exhaustive; by sticking to the familiar aspects of trade and aid, it leaves out of account some fairly significant issues of international policy such as our dog-eat-dog international air agreements and our vacillating policies on international restrictive business practices. But neither is it exhausting; there is a lightness of touch in the presentation which lapses into self-consciousness only at intervals. Above all, there are surprisingly few lapses from strict accuracy, given the scope of the book; and there is a respect for and incorporation of facts and data which add to the value of the volume as a library acquisition. One thing the book is not—or not quite. It is not a book for quite as popular an audience as Kenen hoped and diligently tried to reach. Comparative advantage and international equilibrium are not simple subjects, even when stated in words of less than three syllables; taxation is a bewildering maze; the United States

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

aid program is a labyrinth. So Kenen finds himself nudged and pushed by his own instinct for professional adequacy into attempting the impossible. There is a "simple" explanation of the United States balance-of-payments position, so succinct that the layman's illusion that he understands it will be no more than an illusion; and there is a "simple" explanation of the United States tax law on foreign income, which will comfort the lay reader but may not enlighten him. The fact that Kenen's efforts at simplicity do not quite come off suggests that an "adequate" presentation of the facts is probably incompatible with simplicity. There are times when Mr. Kenen's search for the simple solution pushes him out on thin ice. His proposals for the stabilization of the export earnings of underdeveloped countries, for the internationalization of foreign aid, for the continued liberalization of import restrictions, all are stated with fewer qualifications than older heads with more nicks upon their necks would customarily have used. But Mr. Kenen's essential conservatism is more evident than his flights of fancy; the problems he chooses, the analysis he applies, and the solutions he espouses carry no surprises to those familiar with the field. While his preface makes no claims to novelty—he is "more anxious to repave old roads than to map new ones"—one wonders if writers on foreign economic policy can any longer afford that luxury. The appearance of new giant trading blocs such as the European Economic Community and the Latin American Free Trade Association; the emergence of the Sino-Soviet empire in world trade; the swift acceleration in air travel for passengers and freight; the resurgence of international restrictive business practices; these changes and others like them are sure to make the foreign economic issues of tomorrow significantly different from those of today.—RAYMOND VERNON, Harvard University.

Bloc Politics in the United Nations by Thomas Hovet, Jr., (Cambridge, Harvard University Press, 1960; xx, 197 pp. $6.50) is a painstaking analysis, illustrated by charts, of 521 key roll-call votes in the General Assembly. In addition, roll-call votes on sixty-six of the most significant resolutions before the Assembly, selected by nine knowledgeable individuals, are analyzed in a similar manner. The evidence of bloc voting that is produced in this monograph by Mr. Hovet, associate professor of Government at New York University, contains no surprises and serves to document what diplomats, journalists and teachers already know. The wealth of detail, however, is a welcome addition to the fund of knowledge about the manner in which

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the United Nations actually works, as distinguished from the dream world that existed at San Francisco in 1945. The study was a part of the United Nations project of the Center for International Studies, Massachusetts Institute of Technology.—JOHN HOHENBERG, Columbia University.

Amiable Renegade: The Memoirs of Captain Peter Drake, 1671-1753. (Foreword by Paul Jordan-Smith. Introduction and notes by S. A. Burrell. Stanford, Stanford University Press, 1960; xliii, 410 pp. $7.50) is the title given to the memoirs of an Irish adventurer of good family, the stock Irishman of the eighteenth century who came into his own in a Europe at war, blithely serving whomever hired his sword: the Dutch, the Spanish, the French, even the British; in a Europe at peace he made do with such excitement as might be found in the society of barmaids., innkeepers and professional gamblers. The major portion of the memoirs tells the story of Drake's exploits during the War of the Spanish Succession when he narrowly escaped being hanged for treason by the British who took him rather more seriously than he took himself. At the end of his days, however, he seems to have turned pious, and seized the "opportunity of exposing the follies of inconsiderate youth" by setting down the record of what he termed "an ill-spent and loose life of between sixty and seventy years" (p. 401). In his foreword Mr. Jordan-Smith (who unearthed Drake) explains that this product of belated remorse was suppressed by Drake's family—at least all but a handful of copies were. The book was not especially vicious, but it added no luster to the name of Drake. In the nineteenth century George Pryme lent a copy to Macaulay who read it through, and took notes from it for his great history. What these notes were we do not know; but Macaulay's insatiable appetite for concrete detail might in some degree have been satisfied by Drake's matter-of-fact accounts of a soldier's life in that strangely civilized warfare of the eighteenth century. Professor Sidney Burrell has furnished a useful introduction which provides the historical background for those who do not have it together with a set of adequately explanatory footnotes.—DAVID SPRING, The Johns Hopkins University.

It is one of the paradoxes of the Commonwealth of Nations that its most eloquent interpreters have been South African. General Jan Christian Smuts, long Prime Minister of that country and one of the chief designers of the League of Nations,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

found in the Commonwealth association a working demonstration of his philosophy of holism, of the fruitful tendency of like-minded entities to combine for mutually advantageous purposes. In *The Commonwealth To-day* (Pietermaritzburg, Union of South Africa, University of Natal Press, 1959; 70 pp.) Edgar Brookes, professor of Political Science at the University of Natal, writes of the concern for human beings, for orderly procedures in law and government, and for association which are characteristic of the Commonwealth community and finds them a reflection of Christian values. Without sentimentality and with a keen awareness of the tensions which can so easily break down what it has taken scores of years to build, both men have recognized the uniqueness of a bond which rests on confidence and mutual respect. Can the Commonwealth survive? Does the rapid extension of its members to include not only India, Pakistan and Ceylon but also Ghana, Malay and Nigeria strengthen or weaken the association? Can a multi-racial association continue to include South Africa with its officially endorsed policies of racial discrimination? Dr. Brookes faces the possibility——which has become so much more likely since the republic referendum—that South Africa may be excluded from the Commonwealth. This seems probable not because the Commonwealth is inhospitable to republics—India, Pakistan and Ghana have all adopted the republican form—but because it will make necessary a vote at some time on South Africa's continued membership. Such an exclusion would create, unfortunately, a further isolation of South Africa, but it could well strengthen the bonds of the remaining members, all of whom support the concept of racial equality. Even should the Commonwealth come to an end through the holocaust of another World War, Dr. Brookes believes the values for which it has stood will not disappear. In a more optimistic view, he asks whether the tolerance and pragmatic working together which have been hallmarks of the Commonwealth association may perhaps ultimately underpin a more cohesive world association than the present United Nations. Always broad in view, these lectures settle nothing but suggest much. They are well worth the consideration of anyone concerned with international relations and the factors which lead nations and peoples to work together.—GWENDOLYN M. CARTER, Smith College.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED